


SYNOPSIS of TESTIMONY  
of  
JAMES D. PHELAN  
at the  
CALHOUN TRIAL No. 1436.









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JAMES D. PHELAN  
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GALHOUN TRIAL No. 1438.

Lived in San Francisco all my life, since 1861, born here; Mayor three terms, from Jan. 1897 until Jan. 1902. (2711)

During 1905 and 6 owned real estate on Market and on Sutter sts., improved and business property; one piece was on north line of Sutter east of Powell; also an interest in real property corporation corner of Powell and Sutter sts. opposite Market and O'Farrell, north side of Market near Sixth, also on south side and south side of Market near Seventh. (2711,12)

Was president of board of directors of Adornment Committee of S. F., organized about 1901, not gone out of existence but not active now, but very active up to fire, and I president during that entire time. (2712)

As such president met Calhoun, think first met him at meeting of street committee of Board of Supervisors in May, 1905. (2712)

In answer to your question that I state in a general way what that Adornment Committee had done in regard to the question of overhead wires prior to May, 1905, I answer that from the beginning its purpose was to put the wires underground and to remove the telegraph and telephone poles, and succeeded on Market and some other streets and it generally looked after the betterment of the city's paving and things that added to the appearance of the city, and it started a movement for the adoption of the Burnham plans and raised a fund of about \$18,000 by private subscription to pay the expense of making those plans; that was all immediately subsequent to its organization and the work was finished about the time of the fire; that plan included extending the Park Panhandle to about the junction of Market St. (2712,13)

It is my recollection that I was introduced to Calhoun at this meeting in May, 1905; I think it was a meeting of the street committee, John Connor was chairman and Rock and Braunhardt were members; they were considering the application of the railroad company for an overhead trolley privilege which I opposed with other citizens. The discussion was generally upon the subject of the advantages and disadvantages of the trolley and the practicability of the conduit or underground system; Calhoun spoke as a large owner and interested party and was introduced as a large stockholder in the U.R., do not believe he had any official connection with the company at that time and I think he had just arrived from the East; the substance of what Calhoun said on the subject was that he contended generally that the desire of the company was to standardise the system and substitute electric power for cable wherever practicable and that he considered the trolley more efficient; I think he said the efficiency of the conduit was about 80 per cent of that of the trolley and that anyhow the conduit was not a practical system because the conduits would fill with water which would cause a short circuiting of the electric current; my recollection is Ford was present on that occasion and participated in the talk. (2713,14)

I was a member of the S. S. I. Club at that time, am not sure when it was organized, I attended one or two of its meetings in the offices of Sawyer; the application which the railroad company had made was for the overhead trolley privilege



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on Sutter st. and that the only question before the street committee of the Board and before the clubs, and the S. S. I. Club was very strongly opposed to the overhead trolley and urged the conduit. (2714)

The chairman of the street committee, Mr. Connor, appointed in open session a committee of citizens to attend a meeting at the office of the U.R. in the Call building and I was one of the number and I met there with the officers of the company for the purposes of continuing the discussion which had taken place before the street committee in May 1905; this second meeting must have been the latter part of May 1905, and Calhoun was present and I think Ford and Mullaly and the engineers of the company, and on this occasion the same ground was gone over and Calhoun I think finally closed the meeting by saying that he was going East and he would look into the practicability of the conduit further and be able to advise the committee, he having a better understanding, at some later date; that was in May. (2714,15)

At these meetings in the City Hall, Charles S. Wheeler was present and brought out the point before the street committee that a trolley franchise had to be sold as any other franchise by advertisement and bids, and that it could not be granted by resolution giving a permit; that was at the May meeting in the street committee; besides discussing the practicability of the conduit and the overhead they also discussed the legal question. (2715)

The railroad offices at the time of that conference were in the Call building. (2716)

My recollection is that the next time I was present at a discussion with Calhoun on this subject was in the Red Room of the Bohemian Club in March, 1906. (2716)

I think in the month of November, 1905, I was also present at a meeting of the Board of Supervisors when the matter was discussed. In answer to your question if I remember seeing him again in August, 1905, I say I am not sure about the month but it was in the latter part of 1905 and was after his return from the East where he had gone in May and from where he had returned in August or September and it was some time after September, I think, that I saw him; it was before a committee of the Board in November that I saw him and that was the time when they finally considered the application for a permit to construct a trolley on Sutter st. and the street committee rejected the application at that time; I recollect nothing that Calhoun said at that meeting in November on the subject of the overhead trolley except that the general argument was gone over, the impracticability of the conduit on account of filling with water and the desire of the company to standardize its property, that is, make it uniform throughout the city; I recall that at the November meeting Calhoun admitted that the conduit was practicable and feasible and could be constructed but that it lacked in efficiency and was 80 per cent of the trolley in efficiency as I recollect it, and that he wanted the system uniform; the admission of its feasibility was probably the result of his visit East as I recall now that he did not urge at that time as strongly the impracticability of it; I recollect that at that time he claimed that it would take from 30 to 45 seconds to shift from the trolley to the conduit, or vice versa, as they do in Washington, and we had testimony on the other hand controverting that; nobody was sworn there to testify that I recollect and I do not think Calhoun's statements were made under oath; we had letters which were presented to the committee there from the officers of the District of Columbia and those letters were read



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there in the presence of Calho un according to my recollection; my recollection is that the letter was from Commissioner West of the District of Columbia and the clerk of the Board purported to read it and I suppose that letter was lost in the fire with all the other records, it was lost in the fire and was not returned to me, and either a copy or the original was left at the Board of Supervisors' rooms and either the original or a copy was carried away by me as we kept complete records and had a paid secretary and these records were destroyed in the fire.

(2617-82)

That letter was from one of the commissioners of the District of Columbia, Biddle or West, possibly Biddle whom I know and who is now a U. S. engineer assigned to duty in this city; there were three commissioners and I knew West and Biddle, but I now recollect it must have been Biddle who wrote the letter; Fay was then Clerk of the Board and it is my recollection that he was acting on this particular occasion before the committee and it is my recollection that he read out loud on that occasion in the presence of Calhoun; it was merely a question of the number of seconds it would take to shift from one system to another, and Calho un always contended it would take a little more time but there was not a wide divergence between them, and I say that in answer to your question as to whether Calhoun made any reply or any talk after that letter was read. (2739)

I do not recollect that Calhoun said on that occasion that he had any personal knowledge from observation in Washington, D. C. as to how long it took them there to change from the conduit to the overhead; on that same occasion when Calho un claimed it would take from 30 to 40 seconds I contended that it would take less than 30 seconds and quoted Kennedy and this correspondence from Washington and other documents before the committee of the Board of Supervisors and Kennedy's report was read there at the time and this paper you show me looks like a copy of that Kennedy report. In answer to your question as to what particular meeting it was at which that report was read when Calhoun was there I say that my recollection goes back more particularly to the meeting in the middle of May, 1905, there were three or four meetings of the committee and my recollection is it was the May meeting; it is hard for me to distinguish between what occurred at one meeting and what at another, but I could refresh my memory by consulting newspaper reports of the time because they noted the different subjects that were discussed at the different meetings from day to day. (2742-4)

At the meeting in November, 1905, Calhoun was asked by Spreckels or by me, what his intention was, I think by me, in regard to Market st. if he was granted the overhead trolley permit for Sutter st.; it arose in this way; in saying that he desired the privilege from the ferry out Sutter st. he was asked whether he intended to put the overhead on lower Market st. so as to connect up the Sutter st. and it was then that we received the first intimation that he contemplated a change of that kind and he stated in reply to me then that he did contemplate putting the trolley on lower Market st.; Calhoun was of the opinion at that time that the whole city should be treated as a single proposition in order to harmonize his road and that would embrace all streets and in our conference he yielded that point as to Market st. for a certain distance, I am talking about conferences after Nov. 1905; and in answer to your direction that you want to confine it to Nov. 1905, I say that he intimated that



1. The first step in the process of identifying a potential threat to national security is to determine whether the information is classified. If the information is classified, it is then necessary to determine whether the information is relevant to national security. If the information is relevant, it is then necessary to determine whether the information is a threat to national security. If the information is a threat, it is then necessary to determine whether the information is a threat to national security.

I am sorry I cannot give you more information at present. The only thing I can say is that the matter is being handled as quickly as possible.

[illegible][illegible]

he would like to use the lower part of Market st. for a trolley.  
(2746,7)

At no time prior to Nov. 1905, did Calhoun say anything in the conference which I attended or at any of the meetings of the committee which I attended to the effect that he wanted the overhead trolley for Market St.  
(2747)

After that meeting in November I had further conference with Calhoun on the subject of the trolley; the directors of the Adornment Ass'n. met with Calhoun, Mullally, Ford and the engineers in the Red Room of the Bohemian Club about the middle of March, 1906; I recollect about three meetings they had and Calhoun attended all of them; I cannot separate what occurred in the different meetings, but the substance of the three meetings was that we were urging Calhoun to abandon his designs on Market st. and on Sutter st. and he substantially agreed to build the conduit as far as Powell st. on Sutter and as far as Valencia on Market and then pick up the trolley on McAllister, Hayes, Haight and Valencia and the condition on which he would do that was that there would be support given him in the application which he contemplated to make before the Board of Supervisors, he wanted to harmonize all interests, it was in the nature of a concession and he so regarded it and so stated; the application which he said he intended to make before the board and which the harmonized action of the S.S.I. Club in regard to was that the Adornment Committee was the committee represented there and Jennings represented the Promotion Committee and we were contending for a conduit on Sutter as far as possible and suggested Van Ness but he would not yield beyond Powell, and then pick up the trolley, and there was no agreement on our part to support that, and the whole matter then was exploited in one of the morning papers, and nothing had appeared during the week about the conferences and after the newspaper made the publication there were no further conferences and Calhoun wrote a letter addressed to the committee by name stating that negotiations were all off; and those conferences with Calhoun which I attended in March he stated that he expected to apply for the privilege of constructing a trolley over such roads in his system as would admit of a trolley service and where there were steep hills he would maintain a cable system and I remember he suggested a tunnel through Powell at Sutter; during those conferences the objections against the overhead trolley for the business portion of the town down on Sutter and on Market that were urged in the presence of Calhoun were, first, that the poles and wires would be a disfigurement of the streets which were regarded as our best streets, and that the poles were unsightly and the overhead wires dangerous and that they had been known to fall and kill horses and that firemen dreaded them in extinguishing fires, and we saw no good argument in favor of them except the economy to the company, which we refused to consider, and we contended that S. F. was quite as good as New York and Washington and was entitled to the best service and that the service was practicable here and in fact was in force and that S. F. should have as good as Washington and New York; an important matter brought out was that we contended with Calhoun that his only object was to save the initial cost of installing a conduit and he said that he would give the interest between the cost of the conduit and the electric to any public purpose, and turning to me he said he would give it to the Fund for the Extension of the Park Panhandle in which I was very much interested and I told him that of course we could not accept any money for that purpose and that the city was well able to construct the Panhandle in case it was the wish of the people,



15. 22. 1911

[illegible]



and that amount as stated would be about \$200,000 and a report of this was published in the newspaper I refer to on the next day, that is the difference in cost between the conduit and the overhead from ferry to Powell, on Sutter and on Market to Valencia was \$200,000 and Mr. Calhoun specifically mentioned that sum (2747-52)

The Park Panhandle was part of the Burnham plan and bonds were voted for that extension in 1889, I think, and the issue was invalidated by the Supreme Court on account of the charter supervening, the bonds were voted in December, 1909, and the charter came in in December, 1900, and the bonds had not been sold and all the preliminaries had been taken under the old law. (2752,3)

I think Spreckels was at that meeting in March, 1906, at the Bohemian Club about which I have just been speaking; there were three meetings and he attended one of the meetings for a part of the time and he arrived there before the meeting was over, but I don't recall which meeting that was, he was there as a member of the S.S.I. Club; I do not recall whether during that meeting while Calhoun was there suggestion was made in regard to sending for Spreckels. (2855)

After that meeting I did receive a letter from Calhoun relating to the subject matter which had been discussed at that meeting and it was addressed to the Committee by name, to myself, Hale, Jennings, Dr. Law, Herbert Law and others, and it was part of the records of the Adornment Ass'n. and was lost in the fire but I have a newspaper copy of it that I had made; I saw the letter in the newspapers at or about the time I received it and the newspaper report was substantially a correct copy; I cannot refresh my memory as to the exact date of the letter but it was in March, 1906, but it was addressed to those gentlemen and it was the only letter addressed to them so far as I know; I recollect that there was a short letter to the same gentlemen a few days after that first letter declaring the negotiations off. MR. HENEY: The letter, Mr. Rogers, is of date Mar. 20, I think, 1906, the first one. (2753-5)

The original of this letter was lost in the fire and it was Mar. 21st, I think. (2755)

MR. HENEY: .... The letter was dated March 23 and is addressed to the same people. This purports to be verbatim here. (2757)

I have looked over that copy and according to my best recollection it is a copy of the letter received by me at that time. (2757)

The document which I am consulting on the stand here from time to time is a typewritten copy of the reports in the Chronicle. I could not get the newspaper so I had the copies made to refresh my memory, the Chronicle ~~beginning~~ beginning Mar. 21, 1906, up to and including Mar. 22, 1906, purporting to be a report of what transpired at the meetings at the Bohemian Club. (2757)

I have no recollection of any separate memorandum accompanying the letter, I know there was a memorandum but whether it is contained there or whether it is separate I do not know. (Letter of March 21, 1906, on letterhead of U.R. and signed by Pat. Calhoun, pres., put in evidence and marked "People's Ex. PP in evidence" and read into the record). (2758-63)

There was no proposition made in that meeting as coming from the committee as a committee to Calhoun because the committee was not unanimous; it was a mere discussion and it turned on the distance over which on Sutter St. Calhoun would construct

THE NATIONAL ARCHIVES, COLLEGE PARK, MARYLAND 20740

[illegible]

1. The following is a list of the names of the persons who were present at the meeting held on the 1st day of January, 1900, at the residence of the undersigned, at the corner of the 1st and 2nd streets, in the city of New York, at the hour of 8 o'clock, P. M.:

[illegible]

1. The first part of the report is a general statement of the purpose of the study. It is to determine the effect of the new method of teaching on the learning of the subject.

THE FOLLOWING INFORMATION WAS OBTAINED FROM THE  
RECORDS OF THE BUREAU OF THE ARMY OF THE UNITED STATES  
ON THE SUBJECT OF THE ABOVE NAMED PERSONS:  
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RECORDS OF THE BUREAU OF THE ARMY OF THE UNITED STATES  
ON THE SUBJECT OF THE ABOVE NAMED PERSONS:

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 08-01-2001 BY 60322 UCBAW/SJS

1. The following information was obtained from the records of the Department of the Interior, Bureau of Land Management, regarding the land owned by the United States in the State of California:

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United Kingdom regarding the progress of its investigation into the alleged activities of the British intelligence services in the United States. This is a serious matter, as it is essential that the Commission be kept informed of any developments in this regard.

The Committee has no objection to the proposed amendment.



the underground conduit system; some wanted it extended much further than Powell and he stood at Powell st. so there was no agreement and when the conference finally broke up Calhoun was to have submitted his proposition in writing and it was never submitted and the conference broke up after the Chronicle had published on the morning of March 21st the report of those proceedings which had been going on during the week; as soon as that appeared in the Chronicle it upset our plans because we desired to come to an agreement with Calhoun and then give it to the public as the best that could be done. (2764)

No memorandum in writing had been submitted to me or to any member of the committee in my presence by Calhoun on the day preceding that article in the Chronicle; an article appeared in the Chronicle of Mar. 21 relating to the subject of the conference which had taken place and on the evening of March 21st, the same day on which the letter is dated we received this letter and it refers to a publication in the morning paper of that day. I have no recollection of having received a written memorandum in words and figures the same as the one which is embodied in this letter of March 21, 1906, before receiving this letter of Mar. 21, 1906, but it might have been received but I have no recollection of seeing it. (2765-7)

The newspaper had published on the morning of March 21, the substance of the letter with quotations; not on the morning of March 21, in subsequent publications, Mar. 22. Q. The information published in the Chronicle of Mar. 21, you say referred to these -- A. (Intg.) Referred to the conferences. (2767).

Mr. Law did not favor the overhead trolley in those meetings; he was in favor of compromising on some basis. (2768)

I did not give the information to the Chronicle on which the article was based which appeared in that paper on March 21 and was much embarrassed by seeing it there. (2769)

The article you show me which appears in the last two columns of the first page of the Chronicle of Mar. 21, 1906, is the article referred to in the letter of Mar. 21, 1906, and it is my recollection that it was only in the Chronicle that any article appeared on the subject. (headings of article offered and read in evidence.) (2768,9)

There was no agreement entered into at that meeting; the object of the meeting was to harmonize all interests in order to accomplish something for San Francisco because our two streets were threatened by the overhead trolley. (2769)

It was Calhoun who made the suggestion that the difference in cost of construction between the overhead and the underground on Market st. should be given for the extension and improvement of the Park Panhandle and no one else mentioned it before Calhoun made that statement. (2770)

At that meeting Calhoun said he would like to leave it to the judgment of the people to determine what system they would prefer on Market and Sutter sts. My recollection is the question was raised as to how the judgment of the people should be determined and Calhoun stated in the discussion at that meeting that the Board of Supervisors were the representatives of the people and it also was published in the newspaper at an interview. (2770,1)

I think the U.R. officers were at that time in the Call building but I am not sure. (2771)

I did not attend any meeting at that time in Mar. 1906 in their offices. (2772)

I have examined the letter which you have shown me of date





Mar. 23, 1906, which purports to be a copy of a letter addressed to myself, Hale, Law, Jennings and others and signed by Calhoun and I say I received that letter and the original was lost in the fire among the papers of the Adornment Committee but this seems to be and is the letter verbatim. (Letter offered and read in evidence). (2773-6)

Between the time of receiving the letter of Mar. 21, 1906, and the receipt of this letter of Mar. 23, 1906, I had not threatened in any way legal proceedings against the U.R. and I have no recollection of sending any letter or indication to Calhoun in regard to the matter of contemplated suits or attacks upon the franchisees and I have no recollection of attending any meeting of the S.S.I. Club between those dates in which the matter was discussed and I have no recollection of a meeting of the Adornment Committee or of any action in regard to the matter between those dates. (2777)

I have no recollection of it now but possibly I made a statement to the Chronicle for publication on the subject of the letter which appeared in the Chronicle Mar. 22, 1906, and after the receipt of that letter. (2777, 8)

I recollect a meeting at Dr. Law's house at which a conference took place with some officials of the U.R. after receiving that letter, and my recollection is that we had the letter of March 21, 1906 with us that night; Mr. Calhoun was not there, but I think the engineer of the company, and Ford, and Mullally were there, and I think R. B. Hale was there, and Rufus Jennings, it was the same confreres that had that meeting with Calhoun at the Bohemian Club, they were all invited, whether they were all there, I am not quite certain now; but in answer to your question if there was any agreement at that meeting of any message to be sent to Calhoun, I say that my recollection is that they were to submit to us a plan of their intentions, I think that was the result of the meeting. On refreshing my recollection from the paper in my pocket, I say that I think that meeting was on the evening of March 22, 1906; I am reading from the paper of March 23rd, so the meeting was on the evening of March 21st; independently of the reference in the paper, I have not any way of fixing the date of that meeting; it was a meeting called after the publication in the "Chronicle" to see if it were not possible to get together on a plan, and I am quite sure that the engineer of the company was present and discussed what the company would do in the way of an underground conduit, possibly; there was an interruption in our negotiations, and that meeting was another attempt to get together again. Calhoun was not there. (2778-80)

After receiving that letter of March 23rd, 1906, I do not recollect any further meetings with Calhoun. (2780)

Following that, I did become one of the incorporators of a corporation which purposed to build a street railroad in San Francisco; the other incorporators were Claus Spreckels, Rudolph Spreckels, George Whittel, Charles S. Wheeler and myself, and I think Mr. Stearns. The articles of incorporation were filed the day before the fire; and they were filed in Sacramento. (Articles of incorporation put in evidence, and marked "People's Exhibit QQ" in evidence and read into the record.) (2780-9)

Before the organization of that corporation, I did have talk with Calhoun about the proposition of organizing it, or about any intention of organizing it. (2789)



(2-PTG) [redacted]

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-The second is the fact that the  
-The third is the fact that the  
-The fourth is the fact that the  
-The fifth is the fact that the  
-The sixth is the fact that the  
-The seventh is the fact that the  
-The eighth is the fact that the  
-The ninth is the fact that the  
-The tenth is the fact that the

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the results of its investigation of the activities of the Communist Party in the United States.

1. I am not a member of the Communist Party, nor do I have any contact with any member of the Communist Party. I am not a member of any other organization, and I have no contact with any member of any other organization. I am not a member of any religious organization, and I have no contact with any member of any religious organization. I am not a member of any political organization, and I have no contact with any member of any political organization. I am not a member of any social organization, and I have no contact with any member of any social organization. I am not a member of any other organization, and I have no contact with any member of any other organization.

[illegible][illegible]

I attended a meeting of the Merchants Ass'n. Dec. 5, 1905, at which Calhoun read a telegram from Ladenburg-Thalman & Co.; I did not have the telegram in my hands; I heard Calhoun say he had a telegram from Ladenburg-Thalman & Co. and he said he would read it and I think it was read.

(2790-2)

#### CROSS-EXAMINATION

Mayor of S. F. from '97 to 1902; present charter went into effect at beginning of 1900; first mayor under new charter. I have the right under the charter to a seat with the right to be heard but I have not occupied the seat except on rare occasions, but I have at times been a member of the board by virtue of my position as ex-mayor; it must have been about Jan. 8, 1902, that I commenced to be ex-officio a member of the Board and according to my understanding that right to sit as a member continues as long as I live.

(2994)

It is my recollection that the first meeting concerning the change of motive power on Sutter St. was some time in May, 1905, and that was a meeting before the street committee of the Board of Supervisors and my recollection of the persons present as members of that committee were John Connor, chairman and Mr. Rock and Mr. Samuel Braunhardt; in answer to your question if I recall whether or not the matter came before the Board by virtue of a petition sent to the board calling attention to the condition of the Sutter St. road and asking for improvement thereof, I answer that the committees do not initiate business as I judge that the application to the Board had been referred to the committee. I have no recollection as to whether or not the application or petition or the matter itself came up on the initiative of people riding on the cars and asking for an improvement; at any rate the matter came to the street committee and I was present and I do not recollect who else was present besides the committee unless Mr. Charles Wheeler was present at that May meeting; he is attorney for Rudolph Spreckels; he is a property owner I think on Pacific Ave. and I think he represented the Pacific Ave. property owners at that time. He is Mr. Spreckels' attorney but in what capacity he was there I am not sure; there was a hearing before the Board and I think Mr. Ford was there representing the U.R.; Calhoun was there and I do not recollect anyone else representing the U.R. I have not a clear recollection that Mullally was there but he generally attended all those meetings; you having made the statement that Mullally did not come to S.F. or become attached to the company until the first of 1906, I say then that that is my error, I met him at meetings and assumed he was at that meeting and if that is true my recollection is at fault; my recollection is that at that meeting a committee was appointed to confer together with reference to an adjustment of the matter and that the committee met at the U.R. offices; I think Holland was then president of the U.R. and that he was present at that meeting on May 5, 1905, and Mr. Holbrook was there also; I now recall that Calhoun, Holland, Ford and Holbrook were present at that meeting.

(2794-7)

The meeting at the company's office was held I think at the suggestion of the R.R. representatives at the committee of meeting of the Board of Supervisors; that meeting was in the Rialto building, wherever the offices were and I now recall that they had their offices in the Rialto Building and I desire to correct my testimony of yesterday where I said their offices were in the Call building; I infrequently went to the offices of the U.R. and hence it is pardonable; I haven't a good bump of

of the U.S. and hence if he participated; I haven't a good sense of  
was in the field building; I independently went to the office  
increase in building of buildings when I said that with  
they had their offices in the Radio Building and I didn't go  
Radio Building, wherever the office was and I was particularly  
certain of the fact of the situation; what building was in the  
the situation of the U.S. representative of the committee of  
the building at the company's office was said I think so.

at that meeting.

I now recall that Calhoun, Wilson, Ford and Holtzman were there  
at that meeting in May 5, 1908, and W. Calhoun was there also;  
England was then President of the U.S. and that is the situation  
until and that the committee met at the U.S. Consulate in June  
of the summer together with Calhoun as an advisor and was  
the situation is that at that meeting a committee was organized  
at that building and it was in June as a committee is at that;  
that that is my story, I tell him the situation and mention the fact  
none attended in the summer building time at that, I feel that  
the fact the statement that William, his wife and son, of 1908  
was taken out in January, attended all those meetings; you have  
concerning the U.S. I have not a clear recollection that William

U.S.; Calhoun was there and I do not recall where else people  
before the house and I think Mr. Ford was there because the  
what exactly he was there I do not know; Ford was a meeting  
very common at that time. He is Mr. Calhoun's attorney and is  
on Pacific Ave. and I think he represented the Pacific Building  
attorney for a long time; he is a lawyer; I think I think  
William W. Calhoun was a friend of Ford; that was meeting; he is  
I do not recall who else was present besides the committee  
the matter came to the committee building and I was present and  
riding in the car and riding for a long time; at my wife  
sitting on the sofa; I will come up to the inside of people  
have no recollection as to whether or not the committee or  
organization to the house and went down to the committee; I  
that the committee to the building business as I told Ford the  
the matter of Ford and riding in the car; I was present and  
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others of living power on which all was done in 1908.  
and that was a meeting where the subject was discussed of the house  
of Calhoun and the committee of the house; Calhoun and W. Calhoun  
and Mr. Calhoun; in answer to Ford's question of I recall  
about it but the matter was not the house of Calhoun; I recall  
position was in the house and riding in the car; I was present and  
riding in the car and riding for a long time; at my wife  
sitting on the sofa; I will come up to the inside of people  
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position was in the house and riding in the car; I was present and  
riding in the car and riding for a long time; at my wife  
sitting on the sofa; I will come up to the inside of people  
have no recollection as to whether or not the committee or  
organization to the house and went down to the committee; I



location but I have a good bump of identity as to those persons who were present, I met these gentlemen at various conferences at about the same time and as to which of them were present at the different meetings it is hard to say. (2797,8)

Mullally was present at the Bohemian Club conferences and I was confused no doubt with those who were present at the previous conferences when I said Mullally was at that meeting. (2798)

At the street committee in May the matter came up on the application for the trolley on Sutter st. as I understand it; our committee was urging against the trolley on general principles and the Railroad representatives were urging in favor of the trolley and at that meeting the question arose whether they intended the lower end of Market st. or any part of Market st., and I remember asking the question of Calhoun as it made an impression on me when he said he did contemplate its use if he could get the privilege. Are we now talking of the May meeting? You say we are so I say that that was not in May but that was in the November meeting. The discussion at the May meeting was on the power of the street committee or the Board to grant the privilege at all and Wheeler made a legal argument that the trolley privilege could not be granted under any other form than that of granting a franchise as provided for by the Charter and there was a general discussion on the merits of the two systems and one side opposed the trolley and the other side advocated it. In answer to your question if I am not mistaken as to the time when Wheeler made his legal argument about which I have spoken I tell you I have a recollection of all these things happening at the street committee meeting and I did not take the pains to refresh my <sup>memory</sup> as to dates but I am quite sure that they happened there and it is my recollection that that legal argument by Wheeler occurred at the May meeting and Wheeler's contention there would certainly embrace the question as to whether or not the same law would not apply to the granting of an underground permit as applied to an overhead, that is to say, that the supervisors cannot by a resolution or otherwise grant a privilege to change the terms of a franchise and in the case of Sutter st. they had no power to operate by electric power and in order to change the terms of a franchise it would have to be advertised. In answer to your question if I don't think that that conversation occurred in Nov. I say that if that happened in Nov. I am quite willing to yield a point if it is material but my best recollection now is that it was in May and Wheeler made the argument but I don't remember that Wheeler said himself that the law which he attempted to support applied as well to the underground as to the overhead but he did say that the overhead could not be granted without the franchise being advertised for sale in accordance with the terms of the Charter but I have no recollection of the question being raised about the same rule applying to the underground conduits. (2798-2801)

I do not recollect that a request was made of city attorney Long for his opinion or that he rendered his opinion upon the subject at that time but possibly such request was made and I do not recollect that Long gave as his opinion that it did not need to be advertised in accordance with the Charter. (2801)

I remember that the matter was argued pro and con and that the matter was finally passed to a committee of citizens to confer with the railroad company. (2802)

It was some time in November that we met at the office of the railroad company. In answer to your question if we did not meet between May and Nov. I say yes, we met after the meeting in May because at that time Calhoun said he was going east in the summer

[illegible]



and would come back so it must have been shortly after the May meeting that we met and the only time we met and the matter was left hanging upon his trip to the East and his return and he said it was his intention to make investigations into the merits of the statements or respective suggestions. (3801,3)

I do not recollect Troy proposing at the meeting in May or at the conference which ensued immediately after that meeting that the lower end of Market st. be furnished with a contact system but I recollect there was a discussion of the contact system and I recall Calhoun saying he would make an investigation of it. (2802)

I can recall nothing having happened in that matter until the return of Calhoun which must have been in August or September, 1905, and the matter then went again to the street committee and the meeting must have been in Nov. and I have only a general recollection that there was a meeting and that the same discussion was gone over and that the street committee finally rejected the application of the company and the committee was constituted of the same members as formerly acting and present; the persons who were not members of the committee and who were present I only recollect being myself and representatives of the railroad company and as to the other citizens I do not distinctly recall and I do not remember who represented the railroad company. It is my recollection that the street committee at that meeting in Nov. rejected the application or recommended the rejection to the Board. In answer to your question if it is not my recollection that upon suggestion from the Merchants' Ass'n. those continuances were had upon the representation that Parsons, the engineer of the N.Y. Subway, had been employed by the Merchants' Ass'n. to come here and make the report and that action should await his report, I answer that I recollect of course of Parsons having made the report but I do not recall the reason why a postponement was made by the street committee of the Board of Supervisors and it does not assist my recollection to hear you state that the rejection of the street committee did not ensue until after Parsons had made a report and I do not recall that the Parsons report and the desire of the street committee to hear that Parsons report had anything to do with the delay. (2803,4)

The meeting of the street committee at which the conduit system was first suggested was the meeting in May and the suggestion was renewed and argued upon in Nov. and I do not recall more than one meeting in Nov. and I think it was in the November meeting that Calhoun said something about his willingness to put in a conduit system if unanimity of sentiment could be secured and that was the first meeting or conference at which he so spoke; I think it was at the Nov. meeting that he intimated that if there was public sentiment strongly in favor of it he would put in a conduit system in part. (2804,5)

It was at the conference in March at the Bohemian Club that the subject of the termination of the conduit system on Sutter St. was brought up; I have no recollection of the place to which the conduit system might be extended being specified or considered before March. At the time when discussion was had as to the extent to which the conduit system should go mention was made of a tunnel on Powell st. At the time Calhoun was giving his reasons for ending the conduit system on Powell at Sutter I recall his describing his intentions with respect to a tunnel in the Powell st. line through the hill to connect at Sacramento st. and I remember his giving that as a reason why cars from that part of the city and that direction would pass through the tunnel and come out on to Sutter at Powell and I re-



1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is assigned to the case. The investigator will then gather information about the problem and the people involved. This information will be used to develop a plan of action.

[illegible]

It was at the suggestion of the author of the book that the subject of the investigation at the present time was to be the subject of the investigation at the present time. It was at the suggestion of the author of the book that the subject of the investigation at the present time was to be the subject of the investigation at the present time.

member his giving as a reason depending upon mechanics for any continuance of the conduit beyond that, as affecting the use of the tunnel, or to make this center and it was more convenient to pick up the trolley at that point. I believe he gave as his reason for being willing to put in a conduit system at all that it was out of respect to the opinion of the people, but I do not recollect any specific reason, but I do not recollect what he said as to what actuated him to consent to the putting in of a system of which he did not approve, and I have no impression of what his object was. I do not recollect that he said anything specifically as to what his reason was why he was willing to do that of which he did not approve except to promote harmony; he was being assailed by the representatives of the organizations and the suggestion of the half way conduit was in the nature of a compromise, but I do not recall what he said as to his reason for making the compromise but generally I would say that his object was to remove all opposition to the larger plan of electrifying the entire system under the trolley system, he wanted to satisfy the down town sentiment. Substantially the sentiment that prevailed there on Calhoun's part was that he was interested in the future of S.F. and interested in the unanimity of sentiment and he wanted to meet the wishes of the people of S.F.; it was expressed in his letter there that he believed the conduit system to be inefficient and unsatisfactory and he said substantially that in his conversation there according to my best recollection, and that he was willing to forego his better judgment upon the conduit system and put it in providing it was satisfactory to the people of S.F., but I am giving you the sentiment and I cannot recall his precise words and I did not lend intellectual hospitality to his suggestion. Q. You opposed his offer but were inclined to compromise as suggested? A. Personally I was disposed to compromise so far as Market st. was concerned and was urging the extension of the conduit to Polk or Van Ness Ave. .... I think from Powell to Polk would have satisfied me; at that stage of the negotiations I was opposed to accepting so slight a compromise on Sutter st. as from Powell to Polk but I thought up to the time of the publication that Calhoun would yield and go further. You say you are talking now about the Nov. meeting, but I am talking about the conferences in the Bohemian Club. I do not recollect any talk at the Nov. meeting about the compromise. (2805-8)

I did say yesterday concerning the March meeting as follows: "Well, the condition was that there would be support given to him in his application which he contemplated making before the Board of Supervisors; he wanted to harmonize all interests. It was in the nature of a concession, he so regarded it and so stated." I do not recall any such talk as that at the Nov. meeting and I have no recollection of the matter of any compromise being referred to at the November meeting. (2808,9)

I think the conference occurred at the Bohemian Club by common understanding as neutral territory; I do not recall who suggested the conference itself and I have no clear recollection as to at whose invitation, or intimation the matter was taken up and I do not recall who it was who suggested the persons who should be present at that conference, and I do not recollect how those were who came up there. I don't know on whose initiation these conferences were held, but I know that the members of the Adornment Association's board of directors were present and they were the two Laws, Hale, myself and possibly some others whom I don't recall, and there was where the discussion occurred with reference to this compromise in the interest of harmonious action and all those who were present participated in that con-





versation and the promotion committee was represented there by Jennings, I think, and Calhoun did most of the talking on his side, and I think Mr. Law and myself did the talking on our side; Law was then interested in the Fairmont hotel; I think there were as many as three conversations and everything was progressing reasonably well and there were no personalities whatever and no inharmonious action and everything was going along as we might say swimmingly, and all of a sudden the "Chronicle" published something, but I have not any notion as to how that got into the paper. Troy was not present at any of those meetings in the Bohemian Club and I did not confer with him about it, and, to my recollection, did not mention the matter to him; I do not know if there was any discussion concerning it outside of the committee, but the general understanding was that it was a secret or private meeting until some result was obtained, and it occurred in the Red room of the Bohemian Club, and it was a closed room, and those meetings occurred about three o'clock in the afternoon and lasted an hour or two, as a rule, and that was in March. (2809-11)

I now recall that I read at the time that "Chronicle" article of Friday, December 15, 1905, in the last two columns on the first page, and extending into the following page; I was not interviewed, and I did not publish any denial of the statements made in that article, but I see that others were, but they would not talk, none of those ~~affixes~~ concerned would discuss it, but I was not interviewed, and was not requested to discuss it, but the article came to my attention at the time of its publication on December 15th. (Article admitted and read in evidence). (2811-16)

That whole article is news to me, and engineers were not at work as therein stated, to my knowledge, nor had plans been prepared for three months in advance of this publication, and I did not see them; I do not know of the renting of an entire floor of a building in this city occupied by railroad engineers and surveyors as early as July, 1905; the reason I did not deny that article is that one would be kept busy denying articles in the papers, and I have given that up long ago; I did not take the pains to say that this was not true. I did notice in that article the reference to my influence with the board of supervisors in connection with the granting of the Ocean Shore franchise, but I had no interest whatever in the Ocean Shore, and the only interest I have had in it was that I think I held a bond for one week which came into my hands, but apart from that I have no interest, though I feel very friendly disposed toward the Ocean Shore. (2817,18)

I am a director in the First National Bank, of which Rudolph Spreckels is President, and I was at that time; the First National Bank had no interest in the Ocean Shore, except in the course of its business of loaning money. Spreckels was elected President of the bank some time after the fire, possibly in May or June, 1906. In 1905 Spreckels' connection with that bank was that of director. (2818)

None of the Supervisors spoke to me about the Ocean Shore franchise, and I took no part whatever in the matter of getting the Ocean Shore permit, I have no recollection of it; I have always been friendly with the Ocean Shore, but I do not recollect going before the Board, or otherwise speaking for it, except in 1902, possibly; I think just prior to my going out of office I have a recollection of speaking for it. (2818)

11-1-1961

1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is assigned to the case. The investigator must first determine the nature of the problem and the scope of the investigation. This is done by interviewing the witnesses and the parties involved in the case. The investigator must also determine the time and place of the incident and the persons involved. This information is then used to develop a plan of investigation.

(5855-10)

[illegible][illegible]



I have no recollection of any articles upon this proposed Spreckels-Phelan railroad appearing after this article came out; I had no personal knowledge of anything of that kind; for aught I know, engineers were at work, but they were without my knowledge; nor had I information concerning it; I know when we finally organized we employed Hunt, and he was present in court yesterday. We did finally organize, as revealed in articles of incorporation, Hunt made tentative plans at that time; Hunt had made tentative plans at the time of the organization; in answer to your question how long he had been making tentative plans, I answer that I was brought into the organization in the month of March, 1906, a short time before the incorporation. At any rate, whether this article was true at the time it was published, it subsequently developed out and if not a statement of fact, it was at least a prophecy; of course, there is a great deal in that article which does not correspond with the fact, but the main feature was to establish a competitive railroad in S. F. of the concrete pattern.

(2819)

I am familiar with the law known as the "Ten Blocks Law", but I am only familiar with it in the general way that I know there is such a State law, and there is the charter provision.

(2820)

I was not largely instrumental in drawing the present charter of S. F., I was not a member of the Board of freeholders, I was a strong advocate of it after it was adopted; I appeared before the Board of Freeholders on two occasions, but not on matters relating to franchises.

(2820)

I have a general idea of the provision in the charter concerning the Ten Blocks law, but I am not in a position to expound it, but my recollection of it is that it provides that one railway may run over the tracks of another railway for a distance not exceeding ten consecutive blocks, by their jointly sharing the costs of maintenance and a share of the cost of original construction. It is my understanding further that a railroad may run ten blocks upon the track of another company, and go off one block and come back and ten take blocks more; the charter says ten consecutive blocks, as I recollect, and so it would be necessary to break the connection in order to get back on the roadbed. It seems to read on its face as though for instance, if you were to come to Eddy and Market you might go up a block and then come back to Market, and then resume for ten blocks, but I have never given any thought to that part of it, and I don't not it has been interpreted, but that is how I understand it now. I do not recollect Wheeler's interpretation of that, along in March, but I must have read it, and I don't recall Wheeler making a publication that this new railroad could run on the tracks of the U.R. all over the city for ten blocks at a time and merely go off one block and come back again, though it may be so. In answer to your question if I remember Spreckels making a statement like that, and my being interviewed a little later, and then mentioning it approvingly, I answer possibly, but I have no distinct recollection now. I gave that article, which you now show me, which was published in the "Bulletin" on March 24th, 1906, to the "Bulletin" no doubt, and I identify the article and I recognize the style and sentiment; I notice that that interview refers to a pronouncement or statement by Claude Spreckels and I have a recollection of that statement, and I remember reading in the "Examiner" a letter stating that in view of the failure of Calhoun to build an underground system he would build one



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(U)

I am familiar with the fact about the "Red Star Line". I have been told that it is the same as the "Red Star Line" which was used by the Chinese government in the past.

(U)

(S) (U)

[illegible]

himself, and I recall a reference made of that article in the "Bulletin" of the evening before. MR. HENEY: I have a clipping of the evening before, here. MR. ROGERS. I think it is March 24th, it is the same evening. Q. Did you read at the same time that you read this article in the "Bulletin" to which I have just called your attention, another article of the same date, March 24th, 1906? MR. HENEY. This is the "Bulletin" of March 23rd, 1906. MR. ROGERS. Yes, I think that is the article. MR. ROGERS. Q. I am asking you if that article came to your attention contemporaneously with that interview? A. Well, I could not say that it did, probably it did. .... The article to which I refer in my interview was a statement of Claus Spreckels, and the article which you show me must be the statement by Spreckels that I had in mind. (Statement by Spreckels in the Bulletin of March 23rd offered and read in evidence). After the publication of that article by Spreckels I did say to a correspondent of the "Bulletin" the following: "Everybody is well satisfied with the stand taken by Spreckels, etc." I was already at that time familiar with the contents of the article for three months before, December 15th, and at that time Hunt had planned for a street railway system, as I recollect, and I heard of that in a general way, that is the latter part of March, 1906. (2820-5)

The company was organized and articles were published, and the matter was going on before the fire. After the fire what happened to the municipal street railroad was that the incorporators lost a great deal of money in property and quit. In answer to your question if the people had depended upon Spreckels and Phelan's lines for transportation in S. F. would not they have been walking yet, I say no, it would be a great opportunity to induce other capitalists to build a railroad, and we still have some ability to engage capital, but we could not build it out of our own pockets. The Municipal Street Railway Company, which was organized at that time, has done nothing whatever in the way of furnishing transportation, it ceased at the time of the fire, and it was incorporated at the date of the fire, and it was burned out. (2825)

I have no distinct recollection, but I probably read at the time those statements which you show me made by Rudolph Spreckels and reported in the same article in which my statement appears, that is, about utilizing the tracks of the U.R. for ten blocks, etc. and about what he would have to pay the U.R. and that he would have the better of the company, and so on -- I may have read it at the time. (2825-7)

I am an advocate of the present city charter and am more or less familiar with its contents, and by its terms, I am a member, ex-officio of the Board of Supervisors without a vote, but with the right of advice and voice and a seat in the board. (2828)

I understood that franchises were to be acquired in the city by a company of which I was a member, provided they were offered by the board for public bidding; we are not entitled to a franchise unless we are the successful bidders after they are offered, as I understand the charter. (2828)

At your request I have just perused section 6 of Article 16 of the charter, I did not have that section in contemplation at any time; in reading it now I say it refers to officers of employees of the city during the period for which they were appointed or elected. It seems to be a disability that applies to ex-mayors, that they are ex-officio members of the Board; it is neither an appointment nor an election; I would read it as a disability in the light of events; I had not that in contemplation at the time I joined the corporation, and I made no



1. I have been thinking about you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you. I have been thinking about you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you.

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personal application, nor indeed did the corporation, and it was just organized at the time of the fire, and it did not have a chance to make an application, but the intention was to do so, and possibly my attorney would have called my attention to that but if being a member of a corporation, mere stockholder, would disqualify me, I would rather be a member of the Board of Supervisors with a voice and without a vote than a member of the street railway corporation, possibly, I would have a chance to elect; but I never had this matter tested, and it never was called to my attention, and I did not have it in contemplation when I had in contemplation the procurement of franchises in which I was interested. I would not consider my voice potential as the nineteenth member of a board constituted of eighteen others as elected in November, 1905. (2833-31)

I read at your request the "Chronicle" article of March 28, 1906, and in answer to your question whether or not it was the intention of myself and Spreckels to go on with our street railway system no matter whether the U.R. came to our terms or not, I answer that I never had any discussion on that subject. I was invited to become a stockholder and subscribe to stock, but I was not a party to the plan; I really am not familiar with the route over which the system was to run, except that they were to build on Bush street an experimental conduit road, though I subscribed for a million dollars; but I did not regard that as sufficiently important to inquire, except in a general way, as to the projects and plans and route they were to take, and so forth; the routes were laid out by Hunt, and the contemplation was to build with the subscribed capital. I subscribed one hundred thousand dollars out of four hundred fifty thousand dollars, and with that they were to construct the experimental conduit on Bush street, and as to what further work would be done would be a matter of issuing bonds and financing the project if they went ahead with it; I did not expect to be called on for a million dollars, though I signed to make myself liable to take a million dollars' worth of stock; as to your question if I did not sufficiently investigate to be able to inform you as to whether announced the policy correctly in this article you have given me, I say I do not remember having heard it discussed. (2831-2)

The "Chronicle" was not friendly to the project; I have no personal knowledge whatever that Rudolph Spreckels announced on March 27th that the street railway system planned by himself and his father to force the U.R. to grant concessions in the way of bettering the service would be constructed without regard to whether or not the U.R. decided to give Sutter street a conduit system, but that "Chronicle" article that was dated March 28, 1906, appeared before I signed the articles of incorporation and I signed these articles after I was familiar, to a certain extent at least, with the plans; it may have been Spreckels' idea to construct the road without regard to what the U.R. did in the matter of granting concessions, that I don't know; but at that time Calhoun had evidently abandoned the building of a conduit, and positively declared that he would not do so. (2832-3)

I never heard the matter of a juncture with the Ocean Shore discussed at all, nor as to a traffic arrangement, or a sort of community of interests with the Ocean Shore, and it was never contemplated by me, though I assume if what you show me is a true copy that the article did appear on March 28th, and before I signed the articles, but I never heard it mentioned by anybody connected with the Municipal Railway that it was the contemplation of our people to join with the Ocean Shore in a



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and before I signed the original, but I never knew of any other copies. I am sure that the original is in the hands of the Government, and I am sure that the original is in the hands of the Government, and I am sure that the original is in the hands of the Government.

traffic arrangement. I considered the Ocean Shore a very great advantage to S. F. and if anybody wanted to spend their money in building it, they ought to be encouraged by franchise or otherwise, and they ought to receive a municipal subsidy if such things were possible under the law. (2833-4)

In answer to your question if I read the "Examiner" at the time of that article you show me, I answer that I read the papers; I stopped my subscription for the Examiner some months ago, but I have since resumed it on its entire change of policy in some regards, but I managed to read it whether I subscribed for it or not, and while I stopped my subscription, I took stealthy glances at, I was ashamed to take it. (2834)

I have no recollection of that "Examiner" article of March 24th coming under my notice, but if that article did appear in the paper as it purports to, it appeared before I signed the articles, and in those days, I was reading the "Examiner", though I did not read the entire paper, and that may have been called to my attention, but I do not recollect it, but I would not deny that I read it. (2834-5)

I do not know anything about the statement contained in that article about Spreckels going over the streets with Rusf, etc.; it is not in my personal knowledge, and I did not hear it discussed by anybody, and I certainly was not one of the parties; if there was such an excursion I don't know anything about it, I certainly was not there, and I was not one of the other capitalists then referred to in the statements made. (2836)

In answer to your question whether I was aware that Claus Spreckels and Rudolph Spreckels went to see Mayor Schmitz about the matter about a month before this time, and to-wit, along in February, I say yes, I don't know the time, though it was about that time, they went to see Schmitz to find out his attitude with reference to advertising a franchise for sale, and I think they saw him on two occasions at the City Hall and they told me that they had called on him; (2836, 7)

At the time I was negotiating with Calhoun, I did not have any personal knowledge of railroading; and had never been associated in railroading at all, and had never been a railroad owner, official or manager, or had anything to do with railroading. I had lived most of my life in San Francisco and had traveled in various parts of the world, and my interest in matters of street railroading had been that of a casual observer. At the time I was talking of the respective merits of the underground and the overhead, my knowledge was as a student, I had read the authorities on the two different systems, and had observed them in other cities; I had observed the underground in New York and Washington, but not in Berlin; I had heard that they took out the underground in Berlin as a failure, but I had not observed it, and I am not aware of the conditions in Chicago, where Mayor Dunne made an investigation as to the two systems, and that literature did not come under my observation. I personally investigated in New York and Washington, and read the literature on the subject by such letters as the letters of the commissioners of the District of Columbia, and such as are contained in the reports of the London County Council, but I do not recall the date of the latter; I was furnished literature on the subject by Troy, and he sent me the articles from time to time. (2837, 8)

No steps have been taken to disincorporate the railroad company that I am aware of. (2838)



[illegible]

At the time I went in with R. S. and C. S. I did not know of any experience that either of them had in railroading.

(2839)

I was a stockholder and officer of the Valley road, that was steam railroading; after building the railroad from Fresno to Bakersfield, or from Stockton to Bakersfield, the question before the company was the construction of the road from Stockton to tidewater in the City, involving an expenditure of a very large sum of money, largely in excess of the funds available, and the citizens who had subscribed largely to the stock began to lose confidence in the profitable character of the investment, and were selling their stock on the streets; I remember Levi Straus sold his stock for a small sum, and it was believed by the directors, if not positively known, that C. P. Huntington was buying up the stock in the street, and as soon as he acquired a certain percentage of the whole stock, he would have absorbed the road at a cost greatly less than the amount of money invested in it, because the stock was selling for very little in the street. In that view of the circumstances, the directors accepted the offer of the syndicate to buy the road at the cost to the stockholders, so the original stockholders only lost three dollars interest on their money, and by selling it to the syndicate it was urged that it would give S. F. a competitive transcontinental system, because the Santa Fe had been trying to get into S. F. without success, so believed it would be a benefit to S.F. to have a transcontinental competitive system in the Santa Fe, and give them entrance here, the directors voted to sell to the Santa Fe at cost, but no money was made by the transaction, and in fact we lost three dollars interest. I did not know that the Santa Fe was an adjunct to the S.P., it was believed to be then a real competitor, and I do not think that the Harriman interests or the S. P. had any interest in it then, and I do not know that it has any interest now. The road was originally gotten up as a people's road, the people were called upon to subscribe. Claud Spreckels, of course, was the largest subscriber by a great deal, but the citizens generally subscribed. I suppose you are right in saying that rights of way were procured upon the theory that it was a people's road, but the rights of way were paid for, however; possibly in some instances donations of rights of way were made, but I don't know; after it was completed it was sold. (2839-41)

I was not interested with Mr. Spreckels in the People's Gas Company. (2841)

I think I was Mayor at the time of the Independent Electric Lighting Company of Mr. Spreckels, and I know that at that time he constructed competitive gas system called the People's Gas Company, and I remember that very shortly after it was completed he sold it out to the S.F.G. & E., he demonstrated that gas could be sold at a dollar a thousand and at that time the S.F.G. & E. was selling gas as high as a dollar thirty-five, and he demonstrated that gas could be made and sold at a profit at a dollar a thousand, and to that extent it served the public purpose and justified the administration in encouraging it, however it was done under his constitutional right to lay pipes and wires, he laid pipes and wires under his constitutional franchise, and after having demonstrated his purpose, he sold it to the old company, but I do not know when it was sold and I do not recollect that he announced that in that matter he had made a couple of million dollars. (2841,2)



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THE UNIVERSITY OF CHICAGO PRESS

1. The first part of the report is a general statement of the purpose of the study and the scope of the work.

1. The first of the three main points of the report is that the Commission has found that the Government of the United States has not provided adequate information to the Commission regarding the activities of the Central Intelligence Agency (CIA) in the United States. The Commission has found that the CIA has been engaged in a variety of activities, including the recruitment and training of agents, the collection of intelligence, and the dissemination of information to the public. The Commission has also found that the CIA has been engaged in a variety of activities, including the recruitment and training of agents, the collection of intelligence, and the dissemination of information to the public.

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1. The first part of the document is a list of names and addresses, which appears to be a directory or a list of contacts. The names are written in a cursive script, and the addresses are listed below them. The list includes names such as "John A. Smith", "John B. Smith", "John C. Smith", "John D. Smith", "John E. Smith", "John F. Smith", "John G. Smith", "John H. Smith", "John I. Smith", "John J. Smith", "John K. Smith", "John L. Smith", "John M. Smith", "John N. Smith", "John O. Smith", "John P. Smith", "John Q. Smith", "John R. Smith", "John S. Smith", "John T. Smith", "John U. Smith", "John V. Smith", "John W. Smith", "John X. Smith", "John Y. Smith", and "John Z. Smith".

1. The following information was obtained from the records of the Federal Bureau of Investigation, Bureau of Prisons, and the United States Department of Justice, Office of the Inspector General, regarding the activities of the following individuals:

1. The first of these is the fact that the  
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1. The first step in the process of identifying a problem is to define the problem. This involves identifying the symptoms of the problem and determining the scope of the problem. Once the problem has been defined, the next step is to identify the causes of the problem. This involves identifying the factors that are contributing to the problem and determining the underlying causes. Once the causes have been identified, the next step is to develop a plan of action. This involves identifying the steps that need to be taken to solve the problem and determining the resources that will be needed to implement the plan. Once a plan of action has been developed, the final step is to implement the plan. This involves carrying out the steps that have been identified in the plan and monitoring the progress of the implementation.

At the time R. S. invited me to join in this competitive street car system, he did not mention the fact that the competitive gas system yielded a couple of millions profit at the time it was sold out. (2842,3)

I recall the rival electric lighting plant, but I was not a stockholder in that, and I know as a matter of public information that it was sold to the old company, it was built during my administration by Mr. S. My impression is that it was one company that laid the rival gas pipes and the rival electric wires, but I was not sure of it; it was called the Independent Light Company; I have no recollection on the subject as to whether or not there were two independent corporations. (2843)

At the time I went into the corporation to put in the street railway, I knew of the matter of the rival gas lines and the rival electric lines and the rival steam railroads down the valley, and I knew the effect they had; they reduced rates in both cases and if our system accomplished the purpose of bringing Mr. C's railroad to a realization of the public desire to have a conduit system, our purpose would have been accomplished; it was the last resort; as an incorporator I looked upon it as the last resort; we had negotiated it in a friendly way for months, and I saw the fruits of all the conferences voted away, and believed that arrangements had been made by Calhoun with the city administration, and the only resort left for us to do was to build a road of our own to demonstrate that a conduit system was practicable and possibly profitable. In answer to your question why then I stood in the way of Calhoun's offer to put a conduit system as far as Powell street and insisted that it go only a few blocks farther, I say, as a matter of fact, I was in favor of Calhoun's proposition being accepted, and so advised the S.S.I. Club; personally I would rather have had it go farther; I told them that inasmuch as that was the best they could do, they should accept the compromise and let him build as far as Valencia and as far as Powell. In answer to your question that the Spreckelses then went ahead at that time for purposes I did not approve of, I say, as I told you, there was no unanimity; that was my stand, but the others disagreed. It is a fact that Spreckels and I disagreed upon that, and that I wanted to accept Calhoun's proposition to go as far as Powell, and Spreckels insisted on Polk street. (2844,5)

The telegram about which I testified this morning is the telegram that I heard read, and is of date December 5, 1905, and this that you show me is it, though I did not see the telegram, but heard it read. (Admitted and read in evidence)

It is from Ladenburg-Thalman & Co. and I think it was addressed to Calhoun. (2845-7)

At that same meeting I recall the reading of a document known as the Parsons report; it was a Merchants Association banquet, and was attended by a large number, and was held at the Palace Hotel, and at that time the report of Parsons was either read or circulated, the report was known at that time, that is, it was out at that time but whether it was read or circulated there, I don't know. This looks like it, and it was known either by reading or circulation of the report at the same time, as the telegram was presented. After reading the Merchants Association review which you show me, I say that Symmes read that report on the occasion of the banquet. (2847,8)

(Parsons report, as set forth in M.A. Review of December 1905 put in evidence.) (2850)



(Persons report, as set forth in V.A. Review of 1960-1961)  
(1961)

Report on the personnel of the hospital.

After reading the personnel report.

Up to the end of the report on the personnel of the hospital.

It was not at that time but whether it was read or otherwise.

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I do not recollect seeing that "Chronicle" article of January 14, 1906 at the time of its publication, but possibly I did; I know nothing about it; I was in S. F. at that time, January, 1906. I did subscribe to a press clipping bureau at that time, and it furnished me with articles in which my name appeared, or matters in which I was interested; I am not prepared to say that I did not see that article, I possibly saw it but it made no impression on me; that was before I signed the articles of incorporation. (Article admitted and read in evidence). (2852-5)

So far as I am aware I did not have anything to do at that time with negotiations mentioned in that article, and I do not recall that I observed the article. My understanding was that Borel held the majority of the stock of the California Railroads for the U.R.; it was street gossip only, and in answer to your question how I came to make that inquiry, and if that was at the time I tried to get it, I answer that I hear financial news on the street as a man engaged in business, and in answer to your question repeated if that was the time I was trying to get it, I say, well, I answer that no, because I never tried to get it, had no negotiations, had no knowledge of negotiations; in answer to your question that I don't know what Spreckels may have been doing, I say that I will not speak for Spreckels, because I do not know what he is doing; our intimacy is not as great as the public imagines, perhaps. (2855,6)

#### REDIRECT EXAMINATION.

During the time that that Board of Supervisors that went in on January 8, 1906, was in office, I do not recall any attempt by me to exercise the prerogative I have of sitting with the board and hearing what was said; I attended a session of the board when the matter of the application of the Bay Cities Water Company was on. I think it was that board, but I am not sure of the dates; I remember now that Gallagher was presiding that day, so it must have been that board, and I went there as an ex-mayor with a voice to protest against the condemnation of the Hetch Hetchy and the adoption of the Bay Cities water project, and handed a resolution to the chairman and asked him to submit it, which he promised to do, but never did; I did not attend during the fixing of the budget for that year, not in that capacity, if I was there; and I did not on any other occasion attend in that capacity. I did not attend any Sunday night caucuses of that board; it was not after one of those Sunday night caucuses, nor at any other time, that I walked over the proposed street railroads with Ruef in March. (2856,7)

There was an organization of the Pacific Avenue property owners that participated in the opposition to the overhead trolley, and I was a member of that. Q. Did you attend any of its meetings? A. Except when they met in Board of Supervisors I was present. .... They attended at Board of Supervisors, I think, it was in May, 1905, and I recall that McCutcheon and Page and Chief Justice Beatty, and I think Elliott McAllister were there. The occasion when Chief Justice Beatty was there was possibly after the fire. In answer to your question, there was some application for an overhead trolley, or some discussion of the overhead trolley on Pacific Avenue after the fire. I say possibly that was after the fire, that was my only knowledge of the Pacific Avenue Association when they met there at that time, but that would not be in May, 1905, it must have been after the fire in 1906. (2857,8)



1. The first part of the report is a general statement of the purpose and scope of the study. It states that the purpose of the study is to determine the effect of the new tax law on the income of individuals. The scope of the study is limited to the income of individuals who are subject to the new tax law.

1. The first question is whether the defendant is a citizen of the United States. The defendant is a citizen of the United States.

1. The first step is to identify the problem or question that needs to be addressed.

1. The first thing I noticed when I stepped out of the car was the smell of the sea. It was a salty, briny scent that I had never experienced before. I had heard that the water was clean, but I didn't realize how much it would affect my senses.

2. The second thing I noticed was the sound of the waves. It was a rhythmic, soothing sound that seemed to wash over me. I had heard that the water was calm, but I didn't realize how much it would affect my senses.

3. The third thing I noticed was the sight of the beach. It was a beautiful sight that I had never seen before. The sand was white and soft, and the water was a deep, vibrant blue. I had heard that the beach was beautiful, but I didn't realize how much it would affect my senses.

4. The fourth thing I noticed was the feeling of the sun. It was a warm, golden light that seemed to embrace me. I had heard that the weather was perfect, but I didn't realize how much it would affect my senses.

5. The fifth thing I noticed was the taste of the air. It was a fresh, clean taste that I had never experienced before. I had heard that the air was clean, but I didn't realize how much it would affect my senses.

6. The sixth thing I noticed was the touch of the sand. It was a soft, granular texture that I had never felt before. I had heard that the sand was soft, but I didn't realize how much it would affect my senses.

7. The seventh thing I noticed was the sight of the people. They were all smiling and laughing, and it seemed like they were having the time of their lives. I had heard that the people were friendly, but I didn't realize how much it would affect my senses.

8. The eighth thing I noticed was the sound of the laughter. It was a joyful, infectious sound that seemed to fill the air. I had heard that the people were happy, but I didn't realize how much it would affect my senses.

9. The ninth thing I noticed was the feeling of the breeze. It was a cool, refreshing breeze that seemed to blow through my hair. I had heard that the breeze was cool, but I didn't realize how much it would affect my senses.

10. The tenth thing I noticed was the taste of the water. It was a clean, refreshing taste that I had never experienced before. I had heard that the water was clean, but I didn't realize how much it would affect my senses.

[illegible]

The charter provides that franchises shall be granted in the regular way for the transmission of electric power by wires and poles, and it was my understanding that street railway franchises could be granted for a period of 25 years under the charter of 1905, and they were granted by the board offering a franchise for a certain street or road for sale, and the public was invited to bid, a percentage of the gross receipts, and the highest bidder is entitled to the award of the franchise, and that is the only way in which I understood it in which they could be granted at that time. (2858)

Calhoun said that Sutter and Powell street would be the central point in his opinion for the concentration of the railway lines and transfer of passengers, and be the real center of the city; I was the owner of property at the corner of Sutter and Powell at that time, but I made no comment to him about that; Frank Sullivan was a member of the S.S.I. Club also, and he is my brother-in-law, and my sister owns property at the corner of Sutter and Grant Avenue. (2859)

When Calhoun mentioned the Board of Supervisors as representing the people in that discussion in the Bohemian Club I made no reply to him on that matter, except that we did not consider the Board of Supervisors representative, I believe that was our sentiment. I did not express in any way my assenting to the proposition of leaving it to the board to determine the question as to whether it should be overhead or underground. The reason I was not willing to consent at that time to leave it to that Board of Supervisors to determine, was because I believed the Board to be corrupt. What I based that belief upon was the stories that I heard about their practice, about the control of Abe Ruef, about the Sunday meetings, and the story that they had already entered into a corrupt bargain with the Home Telephone Company by which they were to receive a sum of money, I think \$150,000; those Sunday night causers were a matter of common notoriety at the time. (2859,60)

At the time of that conversation with Calhoun at the Bohemian Club I was familiar with that "Examiner" article of March 10, 1906. (2861)

I read generally the articles that appeared on that subject at that time, but I have no specific recollection of reading that particular article constituting the editorial in the "Examiner" of March 10, 1906, entitled "Kill telephone franchise"; I read the articles on that subject at that time, and presumably I read that one in the Examiner of March 11, 1906, in the third column, on the subject of the telephone franchise. (2864,5)

My reason for going into that street railway corporation was because I had taken a very pronounced but public stand in favor of the conduit system, and having failed to persuade the U.R. Company to introduce that system on Market and other streets, I thought that the only logical thing to do was to insist on establishing an experimental railroad to show that it was practicable. Our object was to answer all the objections of Calhoun's Company to the conduit by actually establishing one. I was familiar with New York and Washington system and knew it was practicable, and so I was willing to risk some money to make the system which I did not regard as an experiment so far as operation and construction are concerned, but which was experimental as to the profits that might accrue. In answer to your question if there was any talk among the parties to the incorporation at the time I went into it as to how much road we should build, and where we should build it, I say that the details of the proposition I did not follow closely, but we were to build on Bush street and try to get an access



[illegible]

1. The purpose of the study was to determine the effect of the use of the computer on the learning of the English language. The study was conducted in a classroom setting with a group of 20 students. The students were divided into two groups: a control group and an experimental group. The control group used traditional teaching methods, while the experimental group used a computer-based program. The results of the study showed that the experimental group performed significantly better than the control group in terms of vocabulary acquisition and grammar usage. The study also found that the use of the computer increased the students' motivation and participation in the learning process. The conclusion of the study is that the use of the computer is an effective method for teaching the English language.

1. The first question is whether the evidence is sufficient to establish that the defendant was in the car at the time of the shooting. The evidence is that the defendant was seen in the car at the time of the shooting. The evidence is that the defendant was seen in the car at the time of the shooting.

James and I were walking through "Savannah" looking at what  
as the first of many "Savannahs" with James and I.

I have been thinking about you a great deal lately, and wondering how you are getting along. I hope you are well and happy. I am still working hard, but I manage to find some time for my hobbies. I would love to hear from you soon.

Your friend,  
John Doe

(1.2.2.2)

[illegible]

...the question of the ...

to the Ferry. I did know at that time of legal reason why we could not reach the Ferry with our road, notwithstanding the ten block provision in the charter; you know the existing two franchises on lower Market street made them exclusive, that is under the terms of the original grant not more than two railroads can be operated on Market street, and there were two railroads at that time there, namely, the U.R. and the Sutter street railway; the part of the Sutter Street Railway running from Sutter street to the Ferry was then held in the name of the Sutter Street Railway Company. (2865,6)

What I understood by Calhoun's statement in his letter of March 25, 1906, that he was going to apply to the proper authorities was, that he was going to apply to the mayor and the board of supervisors. (2866)

What I understood by Calhoun's statement in his letter of March 25, 1906, where he said that the U.R. would proceed and prepare a plan for the improvement of transportation, etc. and that when that plan was perfected, it would be presented to the proper authorities of the city; and so forth, so I concluded he had made arrangements with the Board of Supervisors. (Court strikes out "I concluded that he made arrangements with the Board of Supervisors.") I concluded from that that he meant to go ahead with his plans, having paved the way; I understood that he would present his plans for converting the cable lines of S.F. into a trolley system where the grades would permit, and present a plan of that kind to the Board of Supervisors, and it was my understanding that that letter meant to convey the idea that he was going to apply to get that permit for the overhead trolley for that part of the system. (2867,9)

In answer to your question that I state everything that I can recall which operated upon my mind in influencing me to go into that incorporation for a street railroad, I say, first, the refusal of Calhoun to do anything on the line which we had proposed as being desirable for the protection of the streets of S. F. and his determination to apply to the Board of Supervisors with these plans, I knowing at the time that the board was corrupt, and that their protest would be unavailing, and that the only means by which the city could secure an underground conduit was by the protestants building it; so it was distinctly up to us to build a railroad, and we undertook to demonstrate the practicability of it by building a railroad; we could look to no relief from the Board of Supervisors, as I was satisfied in my mind that any application made at that time by the U.R. would be granted, and that it was a foregone conclusion; I was influenced to that belief because of the known venality of the board, of the control by Ruef, whom I described two years before as having everything for sale in the City Hall; I was confirmed in my belief at that time and at a previous time of the venality of the administration, and had publicly stated it, and I knew that there was no relief from the Board of Supervisors, and if anything was to be done, it had to be done by original initiative, and that we could not expect our protest against Calhoun's plan to be heard. I did not go into that with any expectation of making profit out of it; in fact, I have my doubts about the profitable character of paralleling existing lines on the best streets. (2870-1)

Being going into that, I had heard that the Board of Directors of the Merchants Association had unanimously taken the stand in favor of supporting Calhoun's desire to secure the overhead trolley on Market and Sutter and other streets;



That I understand the following information to be true and correct as far as it goes, and that I am not aware of any other information which would make it untrue or incorrect.

1. The first of these is the fact that the Government has been unable to secure the necessary funds to carry out its policy of non-interference in the internal affairs of the Republic of China. This has been due to the fact that the Government has been unable to secure the necessary funds to carry out its policy of non-interference in the internal affairs of the Republic of China.

1. The first of these is the fact that the United States has a long and distinguished record in the field of human rights. This record is reflected in the many treaties and conventions to which the United States has adhered, and in the many actions it has taken to promote and protect human rights around the world.

2. The second of these is the fact that the United States has a strong and vibrant democratic system. This system is based on the principles of freedom, equality, and justice, and it is the foundation of the United States' commitment to human rights.

3. The third of these is the fact that the United States has a powerful and influential voice in the international community. This voice is based on the United States' economic and military strength, and it is the United States' responsibility to use this strength to promote and protect human rights.

4. The fourth of these is the fact that the United States has a large and diverse population. This population is made up of people from many different backgrounds and cultures, and it is the United States' responsibility to ensure that all of these people are treated with respect and dignity.

5. The fifth of these is the fact that the United States has a long and proud history of fighting for human rights. This history is reflected in the many brave men and women who have sacrificed their lives for the cause of human rights, and it is the United States' responsibility to continue this tradition.

6. The sixth of these is the fact that the United States has a strong and effective legal system. This system is based on the principles of justice and fairness, and it is the United States' responsibility to ensure that this system is used to promote and protect human rights.

7. The seventh of these is the fact that the United States has a strong and effective executive branch. This branch is responsible for enforcing the laws of the United States, and it is the United States' responsibility to ensure that this branch is used to promote and protect human rights.

8. The eighth of these is the fact that the United States has a strong and effective legislative branch. This branch is responsible for making the laws of the United States, and it is the United States' responsibility to ensure that this branch is used to promote and protect human rights.

9. The ninth of these is the fact that the United States has a strong and effective judicial branch. This branch is responsible for interpreting the laws of the United States, and it is the United States' responsibility to ensure that this branch is used to promote and protect human rights.

10. The tenth of these is the fact that the United States has a strong and effective system of checks and balances. This system is designed to ensure that no one branch of government is too powerful, and it is the United States' responsibility to ensure that this system is used to promote and protect human rights.

1. The purpose of the study is to determine the effect of the use of the computer on the learning of the English language.

I had also heard that the Ass'n. had asked to vote upon it before the Board of Directors announced their decision and that the result was against the trolley. (2871,2)

I had contributed \$100 to the fund to bring Henry here. (2872)

I held one of the Ocean Shore bonds at one time for about a week and the amount of it was a thousand dollars and I received it in trade. In answer to your question if the First Nat. Bank is the owner of bonds in the Ocean Shore or was at any time, I answer that quite recently it acquired some bonds in liquidation of a debt, probably 40 or 50,000. (2872)

Between five and six million dollars have been expended on the Ocean Shore and the amount which has been loaned by the First Nat. Bank is considerably less than \$250,000 dollars and that is all that the Bank loaned secured by endorsements and securities and the First Nat. Bank had no interest that I know of in the success of the road other than that loan. Some of the gentlemen who are engaged in the matter are old time personal friends of mine, school-boy friends and so forth. I had invested no money in it myself except that I acquired that bond in a trade and got rid of it as soon as I could. (2873)

That ten block provision in the charter was a charter amendment incorporated in 1903 in the charter after the U.R. Co. had acquired the street railroads of S.F. (2873,4)

I never owned any stock in any public service corporation in this city, I avoided that kind of investment. (2874)

I remember hearing Frank Sullivan state at the Merchants Ass'n. banquet what he claimed to be the outstanding amount of stock and bonds in the U.R. and of Calhoun referring to the matter in his reply. I do not remember what Calhoun's reply was but I remember that he did make reply. (2875-9)

I don't know except in a general way how many miles of railroad the U.R. had in S. F. in Nov. in 1905. (2879)

Except as under that provision of the charter which you have referred to there, namely, section 6 of article 16, I was not a supervisor in March or April, 1906; I was not one of the 18 supervisors provided for by the Charter; in answer to your question if I was an officer of the city and county at that time I say I am not prepared to interpret what the charter means and I have never thought about it; I am the 19th member of the Board but without the power to vote, so I do not deem it a very great privilege and I doubt if there could be an officer without power to perform the functions of his office. All there is to it according to my understanding is that it is a mere privilege of the floor which entitles me to go in and sit among the members and listen to what is said and make a talk if I cared to, and I did not draw my salary and I cannot resign the office I was not expecting at that time to personally enter into any contract, work or business or in the sale of any article the expense, price, consideration of which is payable from the treasury of the city; that corporation was not expecting to be paid anything out of the city treasury if it built a street railroad. (2879-81)

I was elected Mayor for the whole term of five years, three terms; the first was for two years, the second one year as it was cut off by the Charter, and the third of two years and my term terminated in Jan. 1902; so it was not during the time for which I had been elected. (2881)

Prior to Mar. 24, 1906, at the time of that Examiner article about Syrecks and other accompanying Ruef over a contemplated line I had joined with Syrecks in an effort to secure the prosecution of Ruef for felonies and to employ Francis J.H. to go into the matter and I was pressing in the matter





at the very time and endeavoring to get Heney to go ahead with it. In answer to your question when I first went into that matter with Spreckels and Heney I answer that the matter was discussed during the year 1905, and our business with Heney was in Feb. 1906. (2882)

It was Rudolph Spreckels who told me that he and his father had called on Wheeler in regard to the railroad proposition and he told me that the Mayor seemingly approved of the project and gave him encouragement. (2883)

Prior to my going into this street railroad proposition I did see an article in the Call quoting an interview with Mayor Schmitz on the subject; I recollect a public statement by the Mayor in one of the papers and I recognize that article in the Call of Mar. 24 at page 3 as the article I saw. (article admitted and read in evidence. It begins "Mayor praises benefactor") (2883-6)

Rudolph Spreckels did tell me that he and his father tried to get another interview with the Mayor after he had so expressed himself and that the door was closed but he did not tell me what closed it. (2886)

In answer to your question if I read this article of Mar. 31, 1906 in the Examiner headed "Explain Railway plans to Mayor" I say I read all those articles at the time. (Article offered and read in evidence) (2889, 90)

It is a fact that in Feb. 1906, or prior at any rate to Mar. 6, 1906, I asked Heney to go ahead immediately with the investigation and prosecution of Abraham Ruef for felony. (2890)

It is a fact that before Claus Spreckels went into that San Joaquin Valley railroad matter the syndicate had been endeavoring to get into S.F. and that was a matter of public notoriety for years, and that it was running over that S.P. tracks under the traffic arrangement. (2893)

There was a universal demand on the part of the Merchants and farmers for the admission of the Santa Fe into S.F. and for a competing road. (2893-5)

In answer to your question if at the time that the matter was inaugurated of building the San Joaquin road it was not discussed among the promoters at the time that after they had built the road if the Santa Fe or any other transcontinental road that would actually compete with the S.F. wanted it, it would be sold to them, I answer that I will not say that it was discussed at the time except in the general way that they would allow the use of the road for entrance to SF to any competing transcontinental road. In answer to your question if as a matter of fact at that time the Santa Fe was not universally believed to be a competing line of the S.P. I answer yes; I don't know just when that was but it must have been about 1896 but I am not sure. The first subscription of Claus Spreckels to the stock of that enterprise was \$600,000 and then he bought a great many bonds afterwards. (2895-6)

It must have been about 1900 that the Independent Gas Co. was established by Claus S. and I believe it was put in entirely with his own money. (2896)

It is my recollection that gas was as high as \$1.35 a thousand up to that time and that never was it sold for less than \$1.35 a thousand until Mr. Spreckels started the Independent Gas Co. and it is a fact that after Claus S. started the Independent Gas Co. the price of gas was reduced within a few months to \$1 and that it never has gone above that from that day to this; and the other company ultimately came down to a dollar but at what period I don't know, about that time; it was under the first year of the charter that the line was constructed because I know some circumstance that refreshes my memory and it must have been 1900. Gas





as sold as low as seven or five cents for several years after owing to contracts being made by the other company to keep the Claus Spreckels' company from getting in. (2896,7)

It is my recollection that Frank Sullivan also objected to the proposed compromise which Calhoun offered on March 19th or 20th, 1906, as a member of the S.S.I. Club. Sullivan did not become interested in that street railway project. (2896)

I never owned any stock in the Cal. st. road and I never endeavored to secure the ownership of any stock in it; but I know nothing about Rudolph S. endeavoring to secure any ownership of stock in the Cal. st. railroad. I had an intimation about Jan. 1906 from Statson as to who it was who was trying to take the control of the road away from me. Q. Whom did he say it was. A. The U.R. -- (Objection sustained) (2898,9)

#### RECROSS EXAMINATION.

In that letter of Mar. 23 Mr. Calhoun did say further "We will be very glad to go over it with you", in the letter addressed to the committee. (2899,2900)

When this company was organized my idea was to put in a line and I think I stated that the profitableness would be experimental but not the construction or maintenance; I did say that I wished to demonstrate its efficacy or words to that effect. (2900)

In answer to your question if I did not know at that very time that the city and county of S.F. had entered into a contract to put a conduit on Geary st. before I went into the incorporation, I say that I recollect that there was some sort of a contract, the C.E. Loss contract which was never carried out; but I do not know that it was at the same time, if it be true that it was before the fire that the contract was entered into to put a conduit on Geary st. then it would be in point of time before I went into this corporation to build an experimental road, but there was nothing done, the people were responsible. In answer to your question, if I don't know that some time in Mar. the city itself started to put in an experimental road in Geary st. a conduit road, and let a contract for that purpose, I say I don't recollect the date, no. We were going to demonstrate by our road that the thing was practicable and I do not think we had much confidence in the Geary st. project under Mr. Loss if we thought about it at all. (2900,1)

We expected to apply for our franchises immediately and we had our money with which to do it in hand. Where we expected to apply for our franchise and to make our application was to the Board of Supervisors and the Mayor, the same board to which I have referred here. (2901)

In answer to your question whether I am still prepared to maintain that the Mayor's door was closed, in view of the two occasions that I spoke of and that have been called to my attention, the first visit at which Schwitz gave that long interview and the other where the Examiner refers to their coming and being pleasantly received, I answer that I was informed by Mr. Rudolph S. that he made an appointment with the Mayor after their first and second pleasant receptions and that he kept neither. In answer to your question if I mentioned the second pleasant reception I say I think I stated they called three times on the Mayor, that that was my information. What happened the third time was a closed door, the Mayor was not receiving that day. (2901)

In answer to your question if I don't recall that in my examination by Mr. Deney I referred only to the interview which he read and that then I immediately said that the next time they came the door was closed, I say that I stated in my testi-



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DATE 08-19-2007 BY 60322 UCBAW

1. The first step is to identify the problem or goal. This involves understanding the current situation and what needs to be achieved.

[illegible][illegible]

THE UNIVERSITY OF CHICAGO PRESS

mony this morning that I was informed that they called three times, it might have been four times but my recollection was three times; when the matter was first mentioned as to the visit of Spreckels to the Mayor it was stated that I understood that the Call was made three times. (2902)

In answer to your question if it is not true, with my wide knowledge of municipal affairs, that at the same time that the gas rates went down here in S.F. they went down all over the country about the same time and about to the same extent, and that the reduction of price was due to the perfection of machinery and the introduction of oil, I answer that there has been a ~~xxx~~ general decline in gas rates; but the rates in S. F. were always kept higher by hook or crook than the rates in any other places and only the competitive system seemed to shake the purpose of the company; at the time I was Mayor they were higher here than anywhere else. We kept constantly reducing them against the protest of the company; we did no violence. (2902)

#### RE-DIRECT EXAMINATION.

Before I went into that street railroad matter I did read that statement in the Chronicle of Saturday Mar. 22 by Mr. Calhoun; and that particular matter in conjunction with other matters influenced me into going into that street railway corporation. (Article referred to, second column of page 9 of Chronicle of Thursday, Mar.22, 1906. Admitted and read in evidence.) (2903-6)









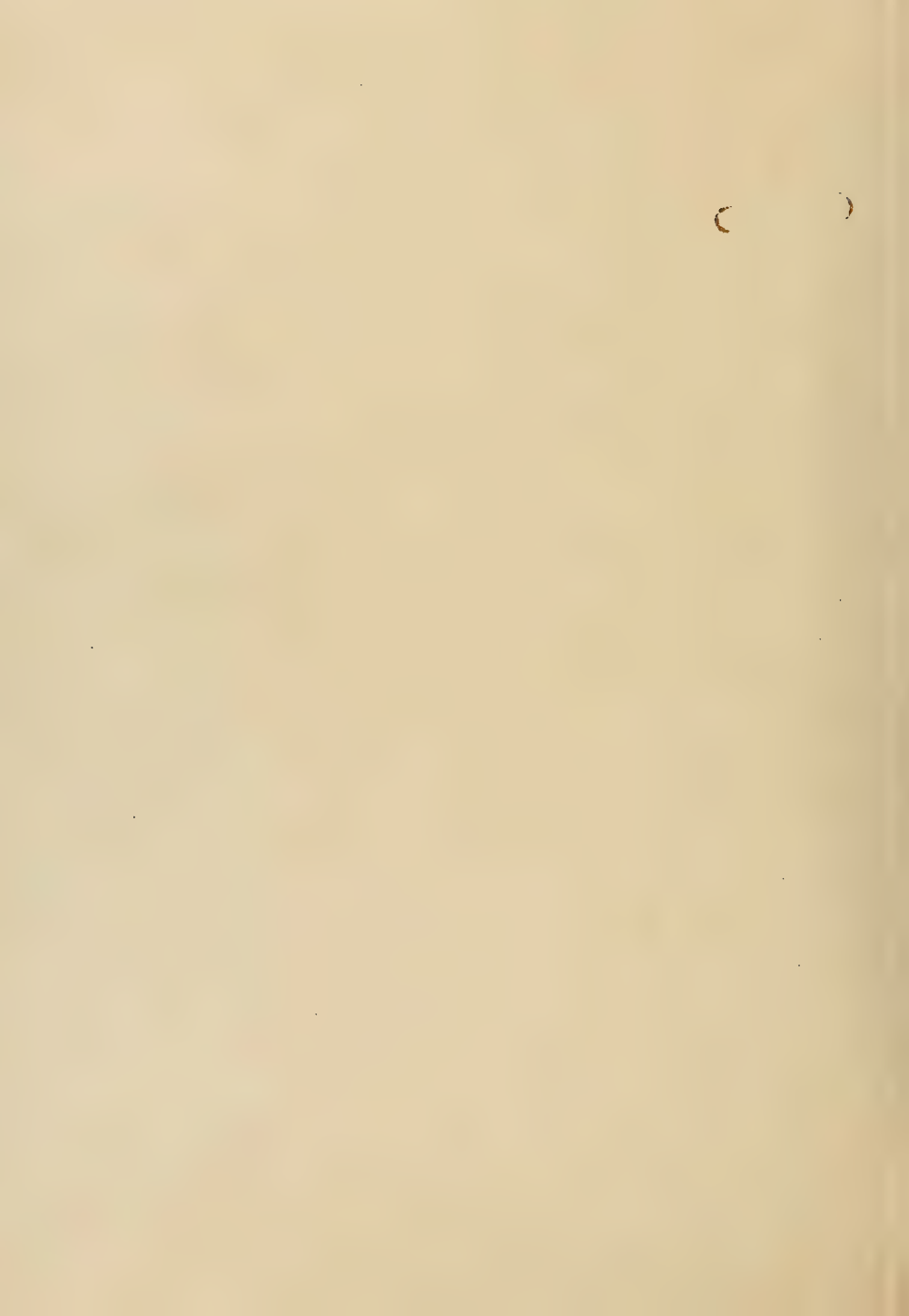








SYNOPSIS of TESTIMONY  
of  
CHARLES W. COBB  
at the  
CALHOUN TRIAL 1436.









SYNOPSIS of TESTIMONY

of

CHARLES W. GOBB

at the

CAJICUM TRIAL #1436.





## DIRECT EXAMINATION.

attorney at law; practicing eleven years in San Jose up to about August 1906, and since then in San Francisco, where I then came; arriving in San Francisco what I did was to practice law, formed a partnership with Honey before coming up here, then immediately came up here and have been practicing law as a member of that firm since then. (3815)

In answer to your question when I made the arrangement for partnership with Honey, I say I know that we first discussed it as early as February, I think, 1906, and then again right after the fire, and then we formed a partnership along in July or August, 1906 formally. (3815)

Honey left San Francisco the first of July, 1906, and I think he went to Portland and I think he returned sometime in the latter part of September or it might have been the first of October, but I think it was September, 1906. (3815)

While Honey was away I was in San Francisco during all of that time, and took care of the offices except about a couple of weeks when I was away on vacation. (3815)

I participated in the graft prosecution; I commenced to actively participate in them about the first of September 1906; from September 1st, 1906 until, say, June 1, 1908, I gave my entire attention and time to the matters of the graft prosecution, days, nights and Sundays, and often all day and all night, more than once all night; and then from June up to the present time I have not applied myself to the matters of the graft prosecution so closely as before that time, but have ever since then often done things for the graft pros. at the request of Honey or Langdon. (3816)

At the time that I talked with Honey about going into partnership in February, 1906, he stated that he had some discussion, I think with Alder, or Sprockels, or maybe both, and that he expected to take up the matter of investigating the Schmitz-Juel administration and lay-out in San Francisco, and prosecuting those whom they believed were guilty of the commission of offenses in and about the administration; and Honey further stated he would like to form a partnership with me because if he entered into that matter he appreciated the fact that it would take up his entire time and attention, and that he felt that his civil business would become dissipated, and that he would like to have a partner for the purpose of having it attended to; and I took the matter under consideration, and wanted to practice law in San Francisco anyhow, and concluded to come up here, and formed a partnership with him, and it was the intention that I should at that time take care of the civil practice of the firm, including the business which Honey at that time had; in answer to your question whether when I started in here with Honey I found any clients or any civil business to take care of I answer yes sir; I don't know where that civil business has gone, there is some of it left, but most of the clients that Honey had at that time have sought other counsel and a number of them have stated the reason why-- they could not get any attention in the office during that period from the time the graft pros. actively commenced, say September, or practically as I stated the last summer-- and not from Honey-- those that wanted his personal attention could not get it at all, and have not up to the present time; those clients that were satisfied with me I have tried to hold on to since last summer; it was about the first of June 1908 that I quit giving active attention; to about June 1st, 1908, I gave practically none of my time to the





civil business of the office because I could not, I did not have time, my time was occupied in the matters of the Graft Prosecutions, in office work and in court work, in all the courts of this city, and practically all the federal courts of this state, and they got us up in the supreme court of the United States, and a good deal of work devolved on me in a large number of those matters, and they occupied practically all of my time during that period. (3816-18)

From the time that Heney got back here from Oregon in September, 1906, down to the present time, the extent to which Mr. Heney has applied himself to the business of the Graft Bros., has been so far as business in San Francisco concerned exclusively, and so far as other things are concerned, exclusively also, with the exception, I think, of once, upon one occasion, as I recollect, that he went to Portland and tried some government cases there, I think People vs. Hall, and I think that is the only case that he has tried outside of the Graft Bros., but I do not remember when that was but it was right after one of the Ford trials and it might have been the second one; and that involved a trip to Washington, D. C., also to Arizona, where a private matter was taken up, a one day stop-over in San Francisco and on up to Portland, he went to Washington and came around by Arizona and attended to some private matter there, and came to San Francisco and stopped one day and went on up to Portland and tried a case and came back. (3818,19)

I got paid for my services in the Graft Bros. from September 1st up to June, 1908; by Rudolph S.; I had an agreement with him for payment; partially paid and partially not paid. (3819)

In answer to your question as to what was the agreement with respect to whether or not Mr. Heney was to share in any way in the payment, I answer that I had such an agreement with Heney and repeated it to Spreckels because in dealing with Spreckels, in making arrangements with him in regard to my fee, I wanted to have it understood with him that it was for my personal services, in order that we might arrange and agree upon the amount of compensation; I did of course call Spreckels' attention at that time to the fact that Heney stated to me that he would not accept any compensation for his services in the Graft Bros., and in negotiating with him in regard to the amount for him I was negotiating for myself personally, and neither Heney nor anybody else in the world was to participate or share in the amount that I was to have for my services; those negotiations were conducted, that is he and I agreed upon the matter, I think sometime in April or May 1908 on the amount; it was a long time, some months, after Spreckels and I agreed on the amount, before I ever told Mr. Heney what it was. (3819,20)

In answer to your question as to what basis I fixed the amount of my compensation on with Spreckels, I say that of course at that time the services had been largely performed, and it was easy to understand what I had done; that was all gone over, and it was upon the basis of the amount and character of the work which had been performed, and the time occupied and the labor involved, and in addition to that there was taken into consideration the fact that I had been compelled to abandon the civil practice in the office and consequently the average amount of my income from a practice prior to that time was taken into consideration. (3820)

Joseph L. Dwyer was a member of the firm of Heney & Cobb and became a member of it at its formation in July or August, 1906, August the 1st, but his name never did appear in the firm name and the reason was that at the time that we formed a partner-





ship, Dwyer was about to engage in a campaign of some party-- the Independence League, it was called-- and the question of the propriety of including his name in the firm name at that time was discussed, and I know that I stated at the time that I did not believe that a firm of lawyers should engage in politics, that I thought they could better practice law without it, and we all agreed that that was the fact, and it was consequently agreed amongst us that Mr. Dwyer's name should not appear in the firm name until he had finished with that campaign and was out of politics, so that it would not in any manner involve the firm or its practice or business.

The firm does not still exist, it was dissolved about two or three weeks or a month ago; it was dissolved on the 1st of Apr 1, 1907. (2021,2)

In answer to your question why was not Mr. Dwyer's name in there after he had finished that political campaign, I say there was no particular reason, it was merely overlooked, or at that time, after he had concluded that campaign, which I think was in the first part of 1907, or along in the latter part of 1906, we were then very busily engaged in the matters of the Craft Bros. and at that time I was employed and engaged in it, and Mr. Money was, and subsequently or about that time Mr. Dwyer became employed and engaged in that work also, and the question of inserting his name in the firm name never came up, was never thought of, was not discussed, and it just drifted along without it ever being put in. I think Dwyer and I--- I don't know whether Money and I or not, but once or twice he did suggest it to me or we discussed it, but it passed off and nothing was done with it. It was taken up seriously anyway. (2022)

In answer to your question as to how much of Dwyer's time was given to the Craft Bros., I answer that there was a period of time when I think it was all given to it, along from anyhow probably January or February 1907 up to the spring at least or maybe the summer of 1908. (2023)

#### CROSS EXAMINATION.

I was practicing in San Jose before coming to Los Angeles, and down there in San Jose I was engaged in the general practice of my profession, it was a general business except that we did not practice criminal law then, it was a general civil practice. (2024,1)

It was sometime in February, but I cannot fix it exactly, that I had my first talk with Money about being associated with him, prior to that Money was in Oregon; before I had come up here, and while I was practicing in San Jose, Money had me attend to some cases and argue them for him in the Federal courts when he was away, and then I used to come here to town to talk to him about these matters when he was here, and then about in February he suggested it to me for the first time, and then we took it up; and I saw him once or twice after the fire concerning the same subject; sometime after the fire he sent for me to come up to see him and I did and had a talk with him, and at that time he told me that the matter was up again, and that Brockels had been to see him again, and Money told me he thought that probably the thing had been dropped, but that Brockels told him after the fire that he concluded that things were as bad as ever, and as if he wanted him to go ahead with it; I don't fix the time that way. (2025,4)

In answer to your question whether it was in July, August or September, 1906, that I first actually entered into partnership with Money, I answer that I think it was in July; at the time we dissolved the partnership with Dwyer on the 1st of April, we figured that the partnership was formed on August 1st, but it was sometime in July, because I know that I went away on a





vacation before coming here; the three-sided partnership was all formed at once, and Iyer actually entered into it at the same time. (3824)

I came to San Francisco to take up my headquarters in August, but exactly the time I cannot tell you, and it may have been the latter part of July, and I think it was. (3824)

In answer to your question if that partnership was formed as I understood it, in view of the approaching Draft Pros., I answer, well that was what brought about the formation of the partnership at that time, yes; that is to say as I stated before, Mr. Keney in February when it was first discussed told me that he expected to be engaged in the Draft Prosecution, that he had talked with these gentlemen, and if he did become engaged in it, he would not have any time to attend to his civil business, and that he did not want to lose it and he suggested that that was a proper time to form partnership, so that I could devote my time to the civil business of the firm, and he to the Draft Pros. (3824)

Prior to that time, Iyer had been engaged in San Francisco in practice a number of years and his work was in the civil branch of the profession, I think it was exclusively civil business, and that is what I understood it to have been. (3824,5)

It was my understanding that Iyer was to become a member of the firm also to help look out for Mr. Keney's civil business that he would not be able to attend to himself during the time that he would be otherwise engaged in this Draft Pros. business, and his own business, and whatever business we would get; and it was certainly and of course looking to the future civil business as well, as these partnerships generally do. (3825)

Q. And after the work got well under way, the civil business was not just as you have expected, possibly by reason of Mr. Keney's engagements, and you devoted yourself to assisting him in the criminal matters, is that true? A. No, that is not exactly the way it came about; after the matter got going it became apparent that Mr. Keney was not going to be able to attend to the criminal business alone, and he then asked me if I would engage in it; and I talked the matter over with him and Mr. Sprockels and did become engaged in it along say in September, 1906. (3825)

I don't think that it was in September, 1906, that I first talked over with Sprockels the matter of devoting my attention to the criminal work; I think I talked it over with Keney before that; and I did do a large amount of work in the thing, I think, before I talked with Mr. Sprockels about it, but Keney had talked to Sprockels about it as I understood. (3825,6)

My first talk with Sprockels about it was after I had performed some work; the first talk I had in regard to it was with Keney, and I discussed it with Sprockels after that; I would place the first talk that I had with Sprockels about it, well, in September; I think not before the middle of September, but it might have been the latter part of September; I don't think the empanelment of the Oliver Grand Jury had begun at that time. I think that the first time I talked to Sprockels about it was when they were rehabilitating or reestablishing the old jury box that had been destroyed in the fire, and that was being done in Judge Graham's department, and he was presiding, and that was preparatory to the empanelment of the Oliver Grand Jury and it was prior to the actual work of organizing the Grand Jury; I would place that conversation as being sometime in September, or October of 1906, the empanelment of the Grand Jury began in the middle of October. (3826,7)

I first met Mr. Sprockels going to talk to him on my sub-



ject, in July; I first Fremont Alder so as to talk with him on any subject about the same time; I did not have any extended conversation with either of them, but I met them both about that time in Mr. Kenoy's office, and that was upon coming to the city here in July, 1906, about the time that I had taken up my work as a member of the firm; it might have been prior to the time of taking up my work as a member of the firm, but I am not sure, and it might have been after, but it was about that time. (3827)

Included in the work that I did there was the drawing of some indictments; I drew indictments; the first indictment that I participated in the preparation of in connection with the San Francisco matters were the indictments of Ruef and Schmitz in the French restaurant cases, the extortion cases, I assisted in the preparation of them, a number of them participated in them, it was done one night by Hiram Johnson and Robert Harrison, the district attorney's office, and Kenoy and myself; after that time I think I drew most of the indictments; I had never drawn any before, and it was a novel experience as far as my career went; my work included the drawing of the indictments in these U. S. matters, including the one that is on trial; I drew two different sets, one back there in May 1907 and another one later, the next year; I did not draw them both alike, but drew them differently, they were both good though, but this one is better, I am sure so, one of them has been upheld by the court of appeals. (3827,8)

At the conclusion of the management of that campaign of Dwyer's his name was not displayed as a member of the firm, and it never was, but he actually was during those times a member of the firm and had been ever since July or August or whenever it was that the firm was first formed. (3828)

I think it was about January or February, 1907, after that campaign was over, and after he had fired up the tail end of it and got straightened around, that Dwyer commenced to give his time to this work; it was before the indictment on trial was returned. (3829)

From the time the firm was formed until June 1906 there was some civil business undertaken, but very little, because it was impossible to do it, and on one or two occasions some civil business was undertaken and it was attempted by Dwyer to handle it and he found he was not able to at that time, and he had to turn it over to some friend of his in town to attend to and he turned the cases over to them. (3829)

I don't know that it was several times after the management of that political campaign that Dwyer spoke to me about displaying his name as a member of the firm, but once or twice he spoke to me about it, but never so seriously as to take it up for the purpose of concluding whether to do it or not. (3829)

In answer to your question whether or not as a matter of fact Dwyer's being a member of the firm was known to very few people for a long time, I say I don't know what the people might have known, but I know it; I did not make it public affirmatively, but if it ever came up I always stated that he was, that is if the matter came up in conversation or otherwise; it did happen to come up in such a way as to make me feel called upon to express myself in the matter, but that was an early occurrence. (3829,30)

Q. Was it in April and May of the present year that you and Spreckels had these conversations with reference to agreeing or fixing up an amount for your compensations? A. Yes sir, I should think in April of 1906; the compensation that was fixed in April was to cover the period from September, or October 1906





until June of 1908; there was no particular time not when the compensation was to run except that it ceased on June 1st, that was understood between us in April or May; it was understood then that it was to run no farther than June, 1908. (3330)

The amount of that compensation was \$16,500.00; the amount of it that I have already received is \$10,000.00; I have shopped to meet Speckels within the last day or two; he gave me a check for \$5,000.00 today, and I include that in a portion of the \$10,000.00 and prior to that he had paid me \$1,000.00, and that makes 10,000.00, leaving \$6,500.00; it was in the courtroom that I met him today and received the check, and he told me that he had it and had had it for some days, and then gave it to me, it is the first time I have met him for four or five days. I received the other \$5,000 of that \$10,000 in June, I think, of 1908, I am pretty sure it was June. (3331,1)

In answer to your question if I had no further talks with Speckels in regard to the time of when my compensation should be paid, I say we talked today when he gave me the \$5,000.00, or immediately before that, he stated that on account of expenses which he was paying, called upon to pay in the Draft Press., and the demands that were made upon his purse for rehabilitating his property and one thing or another after the fire, it made it somewhat inconvenient and difficult for him to pay it at that time, and that was said in April, May, or June, 1908, somewhere along there, and up to that time I had received nothing; in answer to your question whether he made any statement as to when I might expect the balance of this \$16,500.00, I say he just gave that as a reason why he could not pay it then, but that he would pay it as he could. I have made no inquiry of him as to when I might expect to receive the balance, I think once I did tell him I would like to have it, it was along about the time that he gave me \$5,000.00 on account I think, because when we first agreed upon it he had not paid me anything, but merely agreed what it should be and then he paid me the \$5,000.00, and stated that for the reasons I have given it was inconvenient for him to make the payment; of course it was due to me and understood that it was due to me then; the payment he was to make, as he stated, when he could, on account of the fact that it would be inconvenient for him to do it then. (3331,2)

My first talk concerning these matters with Haney was about February, 1906; I have a positive remembrance that it was in the early part of 1906, and before the fire, and my best recollection is that it was along in February; I remember that upon one occasion I called into the office one day that Mr. Elder or Mr. Speckels had been in the office talking with Haney about it, and if you can fix the day by then that would fix one of the occasions; the day that I was there it was Elder that had been there, but Elder and Speckels had both been there that particular day; I remember Elder had been there, how Haney called it to my attention, but I did not meet Elder on that occasion, and never had met him up to that time, he was not in the office. (3332,1)

I do not recollect that shortly after this that Haney left the city and was absent for some time up to the fire; though he may have been, because it may have been that I was up in his office that time talking to him about those very cases that I was handling for him in the U. S. Federal courts; it may be that I was talking with him about those cases on a visit of his here from Portland, because he was in Portland most of the time then; I think he was then now, because I think he had returned here from somewhere after the fire; he was either in Washington or Portland at the time of the fire and he returned here after the fire and that is when he sent for me to come up here again. (3332)





Lwyer's compensation was fixed upon here a couple of months ago, about a month and a half ago; at that time the firm was not getting ready to dissolve, but it was practically understood that it would; a board of arbitration was appointed at Lwyer's suggestion, that is, it was agreed upon between him and Sprockels; I don't know from whom the suggestion of the arbitration emanated, but my idea is that it originated with Lwyer; the occasion for a board of arbitration as I understood it, was to determine the amount that Sprockels should pay Lwyer for his services. Joseph E. Tobin was on that board, and he is one of the attorneys for the Siberian Bank, and I think that in years gone by Lwyer had been one of the attorneys for the bank as well. Charles E. Wheeler was also on that board, and I understand that Wheeler has acted as Sprockels' personal attorney. The third member of the board was held. In answer to your question if that board of arbitration was suggested by nomination of the two parties, or if each man named one and then the two named the third, I answer no, they agreed on all of the three. (5835-3)

I do not know whether Lwyer had had any experience at all in criminal business or criminal law prior to the time he formed this partnership, as I was not acquainted with Lwyer before this, but the best of my knowledge or belief upon that matter is that he did not. (5835)

On one occasion since I have been associated with Money he has absented himself and gone up to Oregon to try some case for the government up there in which a man by name of Hall was the defendant. I do not remember how long he was gone upon that occasion, and I don't think I could even approximate it, but I think it was immediately or shortly after the second Ford trial.

Do you recall whether it was in the spring of 1900, somewhere around January, February or March? A. MONEY. That is the use of getting at it? We can give you the exact time. It was in December. W. W. WHELAN. In December 1907 or 37? A. MONEY. December 1907, and I got back here, I cannot give you the exact date I got back, but I will get it for you; it was as early as February, 1908.... That was the only actual trial work Money has done for the government since my connection with him to my knowledge that is the only case he has tried-- oh no, because he was trying cases when I went in there; prior to the time of my going in there he tried a number of cases. (5835,6)

Did you know or did it come to your knowledge that during the time of your association with him at various times, he was receiving large sums of money from the government? A. If you strike out the word "large", I do not know anything about what they were; I know he was receiving pay-- he received some payments. He stated that he had received his payments from the government for work he had performed.... As to the details of that, or the amounts, I have no knowledge, except that I know I have seen-- understood that there was a payment to him for some services performed for a couple of months in 1900 I think; he tried some cases for which he either agreed with the government that he was to have \$25,000 for his services, or that was the amount that was allowed for the trial of some cases covering some two months period, I don't remember the exact date of that now, but I might refresh my recollection from a letter that I saw in regard to it if I had the letter. I did not have knowledge of the amounts of those payments at the time they were received. I think he did tell me once, or maybe twice, that he had received some money from the government. (5836)

In answer to your question if when I say that the partnership was dissolved two or three weeks ago or at the 1st of April, I mean that it was entirely dissolved with me and Money



and Meyer and the way we are now by ourselves, I answer the last is the effect of the agreement; Loney and I are still up there in the same office, and Meyer has not moved his paraphernalia out of there, although he took rooms in the Mills building some two or three weeks ago. (3087)

Q. Then you first spoke to Mr. Aprockels in regard to the matter of compensation for yourself, was there any arrangement looking to the amount of compensation entered into at that time? A. Yes, when in April. Q. No, I mean earlier. A. Yes, when in September. Q. Yes, in September, 1907. A. No. Q. Nothing was said on the subject? A. No. It was just allowed to run along. A. Yes. Q. And the first talk you ever had with him on the subject of compensation or what you were to receive by way of payments for the services you would render occurred in April or May of last year? A. That was the first time the question of amount was first entered into. Q. Ever mentioned? A. Or even mentioned, I think, between Mr. Aprockels and me. (3088)

#### RE-DIRECT EXAMINATION.

Q. Have you paid or agreed to pay any part of the matter which you received or expected to receive from Mr. Aprockels to Mr. Loney? A. No, I have not agreed to..... I have my understanding with Loney with regard to that; I had an understanding with him before I arranged with Aprockels for the amount, and the understanding was that Loney was to have no part of it whatever. (3089)

Q. At the time I entered into partnership with Loney the arrangement in regard to the division of compensation that might come from old business that my member of the firm had at that time on hand was that whatever business either or one-third had at the time of his partnership, he was to conclude for himself on his own account and retain it for himself, and the division of fees was to be equal as to all subsequent business, but not as to any business that each had then. (3090)

Q. Did Mr. Loney take any new business from the government of the United States after you went into partnership with him? A. No, not that I know of. I know that he received (referred) some. Q. He did refuse some? A. Yes..... I know one was the prosecution of Senator Lovett, in Idaho; I think he was requested by the president to take up that case; I saw the written request of the president, and I knew that Loney refused to take the case; I knew that Loney abandoned cases which he had on behalf of the government and abandoned fees in them in order to retain here and continue these prosecutions; he abandoned the instance, the case of People vs. Herman at Washington D. C., and the case of People vs. Hyde and Herman at Washington, D. C. That the Honorable, I guess, must have been tried about eight months ago; he told me how much of a fee he expected to get in the Hyde-Herman case if he went and tried it. (3091)

Q. I first learned that Loney was to receive no compensation from Aprockels or anybody else in those credit transactions about-- lets see, January, February, March-- about July, 1907; I think about that time; it might have been a little bit before that. (3092)

Q. Now I came to go into the credit work after going into this partnership was that I went in because the work became of such an extent that it could not be handled without additional help, and the question now arose as to whom should he employ, and Loney asked me if I would go into it and I said yes, and I did; as to what was said to me as to what would pay me or as to what satisfaction Loney had for employing anybody, I say that Loney stated to me that he had spoken to Aprockels about it, and told him that





he needed further assistance, and he said "Very well", to employ whoever he thought he wanted, or whoever he thought was capable, and so forth, and Honey told him that he would prefer to employ me and he said that was satisfactory to him; that is the way I understand it and that is the way it came about.

(2030,40)

The occasion of my learning that Honey was not to receive any compensation in the Craft Prosecutions, was that it came up, I think, in a conversation between Honey and me; I am not sure whether Dwyer was there or not; I know I spoke to Honey about it because at that time I had been employed during that period of time and had not received any compensation and took the matter up with Honey to determine when and how I was going to get it and the question came up as to whether the partnership could have any fees or not, and whether I would get them in that way, and Honey stated that he would not accept any fees or participate in any, and then I stated I would like to have the matter settled so far as I was concerned, as I would know where I was going to get off, and so I think Honey took it up with Spreckels for me, and subsequently I took it up with him myself. (2040)

All the office expenses during this time in the first instance were paid by Honey and about 1930 had accumulated before any bill was sent by Honey to Spreckels for the office expenses, which had been paid regularly on the first of every month, or after immediately when incurred, and they have been paid ever since on the first of every month, or about the first of every month by Honey by his check, and the vouchers sent in to Spreckels, who then remitted to Honey the amount; I have not kept the books but I have had placed on my desk on the first of every month a statement by the bookkeeper of the charges and the vouchers and they were sent to Spreckels. I know that the checks sent by Spreckels to Honey covering those vouchers are for amounts actually incurred in the office, in fact for expenses actually paid; there was not a single bill of it that was not for actual office expenses. There were office expenses in addition to those that were paid by the firm itself, office expenses that we did not consider proper to charge to Spreckels, and that have been paid by the firm; for instance, there has been some personal furniture and such and all of those things that constitute a lawyer's paraphernalia, that he has and keeps and uses; the janitor hire was paid to Spreckels, paid in the first instance by the office; there was a library there of about 3000 volumes and the rest of it belongs to Honey, and part of it to me, and there is insurance on it, and Honey paid all the insurance on the books that belonged to him and that was not put in my voucher that went to Spreckels. I was there thinking that was charged to Dr. Spreckels other than for things that were actually used in the Craft Prosec., either before or anything else. I say, I don't think there was anything charged, either directly or indirectly, to Dr. Spreckels for any labor or services performed by Dr. Honey in the Craft Prosec. No, not that I know of; not a thing, never anything in these monthly accounts.

(2110-2)

When I came up here first to look the partnership, I understood that Honey's business was entirely civil business, that was the only kind of business I wanted to get into at that time.

(2120)

In answer to your question of I know that Honey had returned to San Francisco in 1935 after an absence of 15 years, I say I learned that and I understood that he had not engaged in criminal





practice in San Francisco at that time.

(5942,3)

At the beginning Mr. Dwyer had some separate offices for a while, and they were next door; and the reason that he had offices next door instead of in the building, was because we had not room, as it was shortly after the fire, and at that time, in company with others, we had taken a building with others, and we had some doctors in there, but finally the work of the Craft Bros. became so extensive that we could not get along without the whole building, and we made arrangements with them by which they moved out and then Dwyer came over. (5943)

There was civil business refused by the firm, and in answer to your question if any civil business of any importance was refused by the firm I answer yes. (5944)

#### THE-CRAFT EXHIBITION.

In answer to your question how long it was after I had entered into the regular partnership and had been on the ground that I had my first talk with Honey and then my talk with Sprechels in regard to my participating in these matters, I answer that Honey talked with me first about it about September, 1906. (5945)

I came here to give myself over regularly to the work in the latter part of July; I was here during all of August, and the work did not commence until sometime in October, with the empanelment, or preparatory to the empanelment of the Oliver Grand Jury. (5946)

I had my first talk with Honey in regard to doing some of the criminal work sometime in September; the first talk with Sprechels that I ever had or that he said anything to me about my doing anything was during the time that they were rehabilitating the Grand Jury box, and I think that was in October, and it was shortly after I had had my talk with Honey in regard to my working upon these matters. I do not know how close together the two talks were, but two or three weeks or maybe a month.

You say the subject of compensation was not touched upon in that conversation with Mr. Sprechels? A. Never; never was touched upon in any conversation until April or May of last year, so far as Sprechels and I were concerned; nine months after I had been working on these criminal matters, and in July 1907 I took up the question with Mr. Honey, but it is not the fact that I asked him at that time as to whether or not the partnership was going to get anything out of it; what I asked him was I took up the question with him of compensation for my services, and told him that I wanted to make some arrangement for it, and he stated, "all, you will have to take it up by yourself then;" that is it "the matter will have to be taken up by you with Mr. Sprechels, or I will do it for you if you desire", and I said "all right, I wish you would, because I talked with you originally about the matter, and you spoke to Sprechels about it; I would like to have you speak to him about it for me in regard to my compensation", and he said that he would do that, and gave me his reasons why he wanted me to take it up myself, or have him for me, after I asked him, that he would not accept anything himself; and he told me then too at that time that he had told Sprechels, at the time they went into the matter, that he would put his time into the matter for nothing, if Mr. Sprechels would put into the matter and pay-- he told me at that time. That in July, 1907, that he had told Sprechels that in the first place he was not going to accept anything in the matter; I think that was the first time that he had ever told me that according to my recollection; that was the first



knowledge that I ever had that he said that he did not intend to receive anything or was not going to receive any compensation, I don't remember of having heard of that before that time. Q. Well, up to that time, had you and Mr. Sawyer been assisting Mr. Money for that nine months from September, 1906 until July 1907, thinking that it was a firm matter, and that the firm was going to be compensated for the general efforts of three of you in the premises? A. I had not any understanding in the matter of any kind excepting that as I tell you, when I first entered into the partnership I was not to participate in that at all, and subsequently I was employed in the matter, of course, and at the time that I was employed in the matter, I expected of course to be paid, the manner of being paid and the amount and the time were not discussed. Q. Do you mean to say, Mr. Cobb, that during those nine months' labor on your part which you have described here as having been unremitting and extending into the late hours of the night, that the manner and method of payment had not crossed your mind? A. That is correct.  
(344-6)















SYNOPSIS of TESTIMONY  
of  
CHARLES S. WHEELER  
at the  
CALHOUN TRIAL. 1436.











STATEMENT OF TESTIMONY

of

CHARLES E. WHEELER,

at the

CALICO TRAIL #1436.



Born in Cal. 44 years; resided here ever since; resided in N.Y. since 1907; attorney at law, admitted to practice in 1906.

(8143)  
Am acquainted with Rudolph Spreckels, and have known him for about fifteen years, and during most of that time I have been his attorney; I attend to law business other than that of Mr. Spreckels, and am in general practice. (8143)

Acquainted with James D. Phelan for about ten years; have been his attorney only in one matter, and that is that after the earthquake I represented him in reference to several insurance matters. (7143)

In 1908, I was residing in San Francisco at my present residence, 1745 Washington Street; several car lines were used by me in going to my home from the downtown district, sometimes the Market & Lady, sometimes the Market Street, and sometimes the California Street. (8147,4)

During the year 1908 I did become interested to some extent in the matter of the improvement of the service of the street cars on Market Street; I was not a member of any club, but I represented the S.F.P.C. on one or more occasions before the Board of Supervisors in this city, and I did not receive any compensation for that, and Mr. Rudolph Spreckels did not pay me personally for that; I don't recollect the date of the first occasion that I appeared before the board on that matter, but it was in the latter part of the year 1908, and I think it was in the month of November, and it was a committee of the board, I think, that I appeared before, and the meeting was in the board room at the city hall, but I don't recall who presided; I could not say if Joe Connor presided, but I remember Dr. D'Ancona was there; I was acquainted with a number of the members of the board, but I could not say definitely which members were there on that occasion; I knew D'Ancona very well; I remember that Dr. Frank J. Sullivan was present on one occasion; Spreckels, Haughian, Connor, Dr. George Merritt, and I am not sure but that Dr. Kennaugh was there, and Percy J. Mori was present on at least one occasion, and I think I saw Calhoun there on one occasion. (8144,5)

Upon the occasion that I saw Calhoun there I remember Mr. Mori, and I think Dr. Calhoun addressed the board in favor of its granting a permit for the use of the overhead trolley, and is the committee of the board; and I remember that Sullivan addressed the board and I addressed the board, and perhaps others spoke; I am a little uncertain as to whether Calhoun said anything on that occasion; on one occasion when I attended a meeting there, I left the meeting of the committee to go into court after I had addressed the committee; whether Calhoun addressed the board then, or whether I read in the papers that Calhoun had addressed the board I cannot recall, but it is one or the other; it is a long time ago, and I am not entirely clear on the matter. It is my best recollection that when I made my address the defendant was present; Mori was present. The nature of my address on that occasion was that I opposed the granting of the overhead trolley franchise upon legal grounds, making an argument in opposition to granting the franchise, and I termed it, in the way that a permit would ordinarily be granted; the gist of it was that I took the ground that the granting of the permit so-called to use an overhead trolley along certain lines where the franchise as originally granted authorized the building of a road





to be operated by horses, mules, or cable without any reference to electric power, or to the overhead trolley, such a privilege was in the nature of a franchise, was a franchise; and that it should not be granted in that informal manner, but should be offered, if it were to be sold or granted at all, at public auction; that was one point that the House and authorities, particularly from New York, as I remember it, were cited to the committee where similar questions had been dealt with in the City of New York, and where I believed then and believe now the views I announced to the committee were sustained by the New York Courts; the further point was made, as I recall it, that the granting of the right to string wires was itself a right that was specially provided for by charter and by law, and that that right could not be granted save upon a sale to the highest bidder. (3346,7)

Why I appeared before the committee and made that argument on that occasion was at the instance of members of both N.Y. Assemblies, and upon the further advice that I was personally interested in seeing if I could by using whatever efforts I could to prevent the issuance of a franchise for an overhead trolley, as it was my personal belief that the best interests of the city would be conserved if we had an electric system where the wires were underground and not overhead. (3148)

I did not have, at that time, the design or purpose of becoming a street railroad owner in N.Y. myself, no such thought or desire or intent. (3149)

I subsequently drafted the articles of incorporation of the Municipal Street Railway Company; I became a subscriber to its capital stock; those articles were filed on the day preceding the earthquake in the office of the County Clerk of this City and County; a representative from my office was in Sacramento for the purpose of filing the articles on the following morning, and they were actually filed in Sacramento while I was en route. (3150)

In answer to your question when I first took up the matter of organizing that corporation with the men who were associated with me in it I answer that a few days before the 17th day of March 1906, at the instance of Mr. Claus Spreckels, I drafted a letter, which was signed by Mr. Claus Spreckels, addressed to the different mayors of this city, which letter was subsequently published in one or more, probably all, of the N.Y. papers. The paper which you show me and which is dated March 22, 1906, is a copy of the draft of the letter which I drew up which Claus Spreckels, I dare say, signed; I drew it at his request, he sent it to him, and it was a letter intended for publication. (Letter read into the record.) (3151-53)

In answer to your question what else I did in the matter after preparing that letter, I answer that I returned from Oakland on the Saturday preceding the earthquake and I then drew articles of incorporation which were subsequently filed in the office of the County Clerk at N.Y. and a certified copy thereof at Sacramento. I returned from Oakland at the request of Claus Spreckels, and that request was communicated by wire. I received a wire in California requesting my return; it had not been my intention to return at that time; I was on my way to California for a trip to the City of London. I believe I have not met the telegram yet, as I think they were destroyed in the fire, but it is possible I know them, as I still have some letters at my house, and it is possible that the letters and telegrams I received while in London had not been taken from my house or my office. (3153,4)





I had not talked to Madolph Spradels prior to March, 1906, about the matter of organizing an opposition street railway for any purpose. (1132)

Q. Now a nephew of J. E. Stetson. A. Did you have any talk with Mr. Stetson about procuring an option on the stock in the C.R. & N.Y. A. I did. Q. Was that at the suggestion or request of any person, as a result of any talk with any person?

A. Yes, I had discussed with Mr. Madolph Spradels the matter of the C.R. & N.Y. Q. In what connection was the talk?

A. It was in connection with this proposed Municipal Street Railway system, that in the event of an opposition, it would be a desirable thing that there would be such nucleus, but an opposition as to some of Mr. Calhoun and his railroad would place their wires underground. Q. To what? A. I move to strike that statement out. .... Q. I don't understand it he is talking about his conversation with Mr. Madolph Spradels is reference to this talk. They raised the question and they did not object to it. A. (Contd.) If the court will permit me, I think I was possibly mistaken in an answer I made a moment ago: I said I had had no talk prior to the first of March; I am not fixed as to when that conversation occurred. The opposition and talk of opposition to the C.R. was a matter that extended over some time. My opposition I mean the opposition to the U.W. putting its wires overhead. That began in the year 1904, and while there was nothing definite in form until the month of March 1906, I would not wish at this time to state just when I first knew that Mr. Calhoun Spradels and Mr. Madolph Spradels and others would endeavor to give an opposition to the C.R. if it persisted in putting in the overhead trolley. Whether that was prior to the month of March, or whether it began in the month of March, I cannot say. However there was never a time when it was ever threatened as an opposition if Mr. Calhoun would put the wires underground and not persist in putting them overhead. (1133-4)

I don't think I had any talk with Calhoun personally at any time prior to the first of April 1906, in regard to the matter of the overhead trolley; I met Calhoun in the board room of the board of supervisors; I think we were there introduced and exchanged a few words; I think that whatever was said upon the subject of franchise was said to the board or rather to the committee, and not to each other. (1135)

CHAS. CALHOUN.

I cannot say that I recall any publications in the "Chronicle" which came to my attention with reference to the proposed railroads; I took the "Chronicle" at that time and do now, but I do not take press clippings, but I had the "Chronicle" at my disposal at that time, and I glance over all of the daily papers and anything with relation to public matters or matters that concerned any personal work of mine I observed. I would not say that that newspaper article you show me at pages 30 to 32 of the edition of Sunday January 14, 1906 referring to the opposition as to the time when the Stetson matter was being considered, gave that I remember of course that that dealt with matters about that time, it is 20 or 25 days prior to my part, but doubtless a correct assumption; if you could give me the date at which Calhoun made definite announcement in the board that he would have a permit on that or contemplated that the C.R. should run a trolley line along Market street, it would give me the approximate date of activity in threatening opposition, and I say that in answer to your question if I think it would be a correct assumption to suppose that the 14th day of



January 1906 I was already endeavoring to get options enough upon the stock of the Cal. Street R.R. to incorporate into the new system; if Calhoun did not make such a statement previous to this, then the article is premature; I don't know the "Chronicle" got this information, and in fact I don't know that I have ever seen that article before. I observed in the article that the name of myself as attorney for Andrew A. Archelos is there; I do not remember the "Chronicle" article of December 15, 1905 headed "New Street Railway for San Francisco". I do not recall specifically having read the article, but it is possible that I did; it is very probable that such an article with Archelos' picture at the head of it, and containing reference to myself and its projects would come under my notice, that is be someone telling me or by my glancing over it; my client did not call it to my attention, but if I saw it at all I saw it while reading the paper at my home. I observe that the article states "For the last three months preparations have been going on", that is three months before the middle of December, but if any preparations or thoughts to that end were indulged in at any time prior to declarations of Calhoun that he intended to trolleyize his entire system and put poles up and down Market Street, I have never had any knowledge of it, and I cannot recall when Calhoun made that declaration, but I think that those meetings before the Board, and he made it at one of them, must have taken place in October or November of 1905. In answer to your question if I recall that when I was first inquired of concerning it, it appeared to me as being in March that I first heard of the organization, that though I subsequently heard it, if I think that on further consideration and profound thought in the matter it might take me back still further, I answer that I am satisfied that it could not take me back any further than I have indicated, and wherever the confusion that I was under at first was with reference to actual preparation for the incorporation of the company, and no such preparations for the incorporation of the company were made or intended to be made at any time prior to the month of March 1906. (1111-2)

I was a stockholder in the company and my subscription was a personal subscription absolutely, and I paid it, not into the company. (1111)

That corporation has never built a foot of road or laid a brick in a power house and it has never made a move towards the organization of a street car system. Its articles were filed the day before the earthquake. (1111)

I appeared at one meeting at which both myself and Calhoun were present; my best recollection is that I attended the meeting, and that at the first meeting I made an argument, and I think that the matter was referred to the city attorney, and I think that later on I made another argument. I made an argument as I have stated citing New York cases as my authority, and that argument was replied to in legal fashion by him, and he may or may not have cited cases, but it is my recollection that the matter was referred to the city attorney, but I don't know whether he decided the question as to for the city, but I have either or seen or heard of a report that he was to the street committee of his opinion in the matter, and I became familiar more or less with his conclusions, I think, but only with his conclusions; I cannot say any more whether he concluded in any way that it was a part of and not a franchise as to all roads, but I think that with the conclusion as to the power which occupied the right to use electricity, but whether he went further, I cannot at this





time say. It is my recollection that when I made this argument and General Lord responded, the matter was referred to the city attorney for his opinion and that his opinion was given to the board that the permit was one which the board could grant; that it was a permit and not a franchise, and that at the next meeting which I attended I recalled to the city attorney's opinion, but I am not clear at this moment whether or not the city attorney's opinion was as to such and every line, or whether it referred only to lines using electricity; I don't recall that that opinion was legal solely upon latter street, my recollection was that it was latter street and other streets, and that it embraced both the Pacific Avenue as well, but I may be wrong about it. I now observe that you state that you are talking about the same thing because the latter street involved both Pacific Avenue and latter street. My impression is that the application referred to by the latter street, and that the latter street system crossed latter street and after crossing latter street at least there was some right to use electric wires, or rather to use electricity; I am not positive about that; it said there both the latter and latter street line I have in mind; I remember looking at those different franchises at that time. I expressed myself as not agreeing with the city attorney, and adhering to my original opinion that it was a franchise and not a permit and the fact that the city attorney differed with me did not change and has not changed my view; I think that there is certainly a very grave question as to whether or not the U. S. has today the right to use trolleys upon latter street or any other street where they originally do not have that right in the franchise, or the right to use electricity in the franchise. (SILENCE)

Before the meetings of the committee which I attended, I had been investigating the matter of the U. S. but only for the purposes of my argument at that meeting. I did on one occasion meet General Lord on the way to one of those meetings which I attended with General Lord. In answer to your question if I did not say to him that I had been engaged in looking over the franchises and records of the franchises of the U. S. with a view to determining their validity, I answer that I do not remember having said that to him other than as I have indicated; it is not the fact that I have looked over these franchises for any other purpose than for the purpose of making that argument. (SILENCE)

Mr. Hooper, do you recall at any time making a statement to the newspaper or to my reporter to the effect that you were engaged in the preparation of papers looking up a suit in equity to forfeit the U. S. franchises? A. I have no recollection of having made such a statement, I may have said so. I then say you may have done so, because it is a fact you were so doing on the fact that I had made in preparation. Q. You had made a suit as a suit to forfeit the U. S. franchises in preparation? A. No sir; I had no such suit in preparation. I had in preparation an injunction suit for the purpose of preventing the erection of the proposed trolley on latter street. I in fact the first suit and the only suit affecting those matters that you had in preparation? A. That is the only suit I have ever had in preparation upon that subject.... I have not at any time had in preparation as a suit in equity looking to the forfeiture of the U. S. franchises, and since that was my statement, I must expect there could be no such suit authorized by me. (SILENCE)

I can recall with some distinctness some of the conversations or rather some of the addresses that remained at that meeting of the committee which I addressed; I recall Mr. McCann's





presence at the occasion, but I cannot recall whether I heard his address the evening, or whether I subsequently read it; it was at any rate an address in which he was questioned, I think, by Mr. Nathan, as to what his intentions were regarding Sunset Street, and he gave the categorical answer--I think I have made it clear that I either heard the address or read it in the papers thereafter; I do not remember that Nathan said anything at that meeting when I was present, but he either said as I afterwards read and published in his address of the meeting in the newspaper. By appearance at that meeting was in a personal capacity in a representative capacity, but I did not represent nor claim the had employed me for a fee, but I appeared at the instance of the L.L.L.L. lawyers occasionally, to appear for regular clients who are interested in a matter without charging them for it, and as to your question whether I could appear for an association or firm in which Nathan was interested, if he requested it, in view of the fact that I was his regular attorney, I say it could depend upon the subject, but I think I am substantially independent in appearance or not depending as I thought the case was a worthy one; I undertake only such matters as I am ready to appear in and consider to be proper that I should appear in. I recall that I discussed the matter of my appearances there with Nathan and all others; Frank Nathan was there--was he; he is an attorney, but I think he appeared there in his own behalf as a member of that association. As to your question whether until recent times he had been Nathan's (Nathan's) attorney, I say I cannot answer that, as I do not know; I have heard that he is Nathan's brother-in-law, but I have no knowledge on the subject if he appeared there as Nathan's attorney. He stated that he appeared for the L.L.L.L. and as representing his wife, was a property owner upon Butler Street. (1115-6)

I did not attend any conference at the Columbia Club in which this matter was the subject of consideration, nor my conference at the L.L.L. office, nor I attended no other conference than a formal meeting of the street committee, nor then was he, though as I have said I discussed the matter with certain members of the L.L.L.L. (1116)

I have no sufficient recollection of the contents of the franchise answer that particular question as to whether some of these franchisees did not contain a condition to the effect that they were subject not only to the terms of the franchise at the time that is specifically set forth, but that the intent thereafter imposed by the board of supervisors, or the laws of the State of California, that is as to whether the original franchise or one of these deeds did not contain a recollection of that sort, and as to whether they cited here were bearing upon the question which the city attorney passed upon, and which I was applying; my recollection centers about the question of horns, and of public use. My recollection is that some of the franchisees which I mentioned gave the right to the parties of the franchise to construct a road to be operated by horse, mule or cart; that there were other franchisees which gave the right to operate the road by horse, mule, cart or electric power; my view as to the latter form of franchise differs from my view as to the first form. The opinion of the city attorney covers the question as to the franchise giving the right as to electric power, and whether it was Nathan's wife's name at this time, but I probably have seen. (1117)

Having looked at the corporation book of such reports to be or speech in reply to Nathan which you have seen, I say it is covered by recollection to the extent that I have recalled.









the articles to be there filed the morning of the game; from that time on there has been no application for a franchise; there has been no building built; immediately following the time, the L.R. procured its permit; it was not a satisfactory time so far as I was concerned-- I am speaking only for myself now, and the others might have the same reasons or not--to proceed to construct this railroad for what Moore calls the benevolent purpose I have testified it that was the purpose. (313-2)

In answer to your question if prior to April 1st, 1900, an intention was expressed in regard to the conditions which it was proposed the board might insert in the franchise if they were offered for sale as to the length of term or as to the time at which the city might acquire the property, if it chose, my answer is that it was discussed between me and my associates at one of our meetings as to the probable form of the franchise which we would sell the board to offer for sale, and that it was suggested that the city be given the privilege of buying back at any time within ten years, possibly over the limits of 1000 feet, I did not insert in that report ten years; and all of my associates signed the articles; the franchise would be held for sale, not to be passed over to be given to us directly, as a corporation, or an individual, but the supervisors were to be asked to offer for sale at public auction to the highest bidder, franchise over certain streets of the city, containing the provision that the city may back the railroad constructed under the franchise at the actual cost of the building of the railroad, in addition or against the cost of the franchise, the total cost, the total outlay, plus or interest; that it should ultimately be the will of the city to build a trunk or trunked street railroad, and, if the city so wished, by the city itself, and that nothing be to the cost to the city, no more. (313-3)

I prepared these papers for a suit to enjoin the selling of the proposed franchise of latter of in order to enjoin a use by the incorporation that in my judgment belonged to the people. The latter at franchise granted years before had provided that the company should be a horse, mule, or electric,--in the copy of that paper, it was the latter of railroad franchise which I examined as I said I did it, it was provided that the road to be constructed thereunder should be operated by horses, mules or mules; it was so written that in attempt to convert a horse railroad into an electric railroad or to convert a mule railroad into an electric railroad or even a cable railroad into a electric road would have been accomplished through the issuance of a new franchise and application was made any attempt to put a converted trolley upon the latter at. quoted without offering the privilege for sale or granting of the franchise certain conditions applicable to the city, but beyond the power of the board, and that by claiming that the board of directors was authorized to enjoin the sale of my property, permit which would have been sold to Henry A. Franchise. (313-4)

I think these papers were as a source of information, whereby before I went so far as to the city of Chicago, and that they were drawn out in the city of Chicago at the time of the trial. (313-4)

I don't remember that it is correct for you to say that the only reason given in all the time whether or not he did not build the road after the time was that "it was not a satisfactory time." When I said that it was not a satisfactory time as far as I was concerned, I meant that in reference to a private party other people in this city I am referring to the city, the city and the L.R. had received a permit and it was a matter of fact that it was to build the operation would be intended to run on the basis of a permit to build a road, and it was a matter of fact that it was to build a road. (313-5)





should understand that it would have been threatened application in the event that it would continue within its fire overhead and not underground, but after the fire with the conditions that presented themselves from the bridge as I found myself financially at the time, it was not a matter of time for me to go ahead and carry out the program which had been included under similar circumstances and the fire was covered. It is correct to say that my intention before the fire was as I have expressed it here, that if such insurance could be procured and in the event the U.S. insisted on placing the overhead trolley above town, to go ahead under the franchise which procured and actually construct the road, but it is true that the road has not been constructed. (111-1)

I do not think that the time my constructing road was unpropitious for anybody; I was not one who lost faith in U.S. when the time was favorable otherwise, and I perfectly understand that U.S. would have to borrow again and I think I manifested my own faith by my own means after the fire; my conduct was not based on the 25,000,000 of \$1,000,000 dollars to be raised but it amounted to a contribution of one thousand dollars of the kind of liability, but if a bridge would have been built that I could afford then, and the only way to it, that is, I contributed it to the Red Cross Fund, to the relief fund. (111-1)

The company has not been liquidated but it is not for the reason that I am opposed with the result that if the language of the law is to be operative there has been some kind of operation of the road. (111-1)

The 145,000 has not been redistributed to the shareholders; after the fire there was a loan, not in the sum of \$450,000 but some \$100,000 loan was made to each of the shareholders of the incorporation whereby the major portion of the money which at such was loaned to the corporation to the individual who had contributed it, and the corporation provides the obligation of each and each is the debt of the father; there is still a cash balance, a small amount of which I don't have standing to the credit of the corporation and the corporation is in a position to make, therefore if the money at any time may be the result to me as I have said, has among its assets that money was used to pay the debt of the different shareholders but the whole time the corporation was allowed to use; substantially all has been retained subject to call; I claim presently there was five or six thousand dollars left in the treasury; the 145,000 remained in the treasury of the corporation for a couple of months or when it was loaned to me and I have no claim, subject to call, and it was in the power of the corporation to call for it at any moment, that is, call it back from the shareholders when it was loaned, it was subject to the corporation to be used as a concern and if the corporation stood under the law it would be distributed to them as shareholders. I don't know the precise amount that has been paid back in cash to the shareholders at a low rate if you will before the fire or how it was paid back then and then figure out the percentage in the capital of each individual and will and the shareholders want, and the new corporation was distributed in cash of the other collection. Available collection of \$1,000,000 dollars was paid in 100,000 and 100,000 dollars. When 10,000 was paid back to the shareholders the corporation was in a position to call on the obligation, but my power or no power to be called on loan, I have furnished the precise data of the corporation, as it is now worth some \$100,000; the corporation has not been paid for the road and it was in position to call on me or to call to do certain things in the matter of building a separate railroad. (111-1)









not mention electricity as one of the methods of motive power; in fact I am very positive that the copy I saw did not so mention. (112)

At one time at one of the public meetings before the committees of the House of Representatives when Wilson was attending that in November, 1900, I understood too late to be that if a franchise was put up for sale the lowest bid for which it could be sold would be twenty-five years, and I understood at that time that the latter st. road was not paying any part of the gross receipts of the road under its franchise to the city. (113)

I understood that if a franchise were put up for sale the city was entitled to 2 per centage; the precise amount of the per centage I don't now recall, but the sale of my franchise, and that is what I meant to do, was when I said I understood the city could be entitled to the benefit of the sale of the franchise. (114)

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SALIENT POINTS  
Of Testimony of  
JOHN HELMS  
In CALHOUN TRIAL 1436.









SALIENT POINTS  
Of Testimony of

JOHN HELMS

In CALHOUN TRIAL #1436.

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DIRECT EXAMINATION.

Went to U. S. May 3d, 1907, Hoeffler telegraphed me; shadowing Pres.; none under me till three or four mos. later. (3518)

At first F. T. on sidewalk in front Temple Israel, Calhoun authorized me to get cycles follow Burns and I got two and kept for two months. (3519-21)

They reported me every night and I handed same to Abbott every day or two. (3521)

No talk with Abbott prior to that talk with C. (3521,2)

I want to correct; it was Gibson, not C., who authorized cycles; my talk with Calhoun was that I told him cycles useless and he told me hire auto. That my first talk with C.; not introduced to him. C. had seen me with Hooper and Curren and also with Gibson, and handing reports to Abbott. (3560-2)

When I had reports for A., though could not find at office, I would hand to him in court during first F. T.; at desk; don't know how many talks with A. in court when C. present prior to cycle matter, but frequent. (3562)

After three mos. under Hoeffler, he told me report to A. personally. (3563)

Saw A. first time car-bern and he told me keep conversant with movements of Pres., get in touch all I could and get all information I could and give him; no special information asked for. (3563,4)

Had opened agency then and told me employ as many as I saw fit and report every day and I did; told me

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shadow anyone who acted suspiciously and seemed to need it; particularly watch jury and see who talked with them, watch Burns' officers around court and see who took away. (3564,5)

During that work got acquainted with Platt; suspected employe of Burns; first talked with Platt and then with A.; had talked with A. about Platt during first F. T. (3565)

Koeffler paid me; A. paid me in gold and I gave him monthly vouchers made out to U. S. and addressed to A. (3566)

After talk with Platt during first F. T. I told A. he working for Pros. and I thought could get him to work for U. S. and A. asked what he could do and I said could use him for getting infor. as regards movements of Burns, and A. then arranged a meeting between Platt and him and me. (3566,7)

A. and Platt and I met at car-bern or in McG's office; and Platt told A. that he thought he could get reports on jurors and general infor. about movements in Burns' office and that he knew a number of the men and was friendly and could get their infor.; and A. said "Well, if you can do these things I will take you on," and told report to me and told me report to A.; Platt said wanted two hundred dollars per mo. and A. said "If you can do as you say," or "I will give you two hundred dollars a mo. if you make good." (3567,8)

I was to pay Platt and A. to give it to me. (3568)

I paid Platt from time hired during first F. T. up to about Aug. 31, 1900, when told him report A. direct; all that time he made reports to me in writing about different things. (3569,70)

I collected all Platt's pay from A., two hundred dollars and expenses per mo. (3571)



Flatt reported to me sometimes daily and sometimes two or three days; he reported to me during the first E. T., but cannot say how long of it. (3571)

Then Flatt brought me reports I made duplicate copies and gave back original to Flatt to return to Burns' office; gave one duplicate copy to A. and kept other; when I resigned on Aug. 1st, 1908, I turned over all my file, copies, etc. to A. through Francis. (3572,3)

Besides reports on jurors I got various papers from Flatt, correspondence, telegrams; Leach letter. (3573,4)

A. authorized promise of twenty-five dollars for Burns' letter to Leach; and I got it and gave it to A., but twenty-five dollars not paid. (3574-6)

Paid Flatt mostly in saloons. (3577)

My pay ten dollars a day and expenses. (3577)

When C. told me hire autos I got Thomas Flyer and four men and covered Burns; later bought a machine and rented to company for thousand dollars a month and was paid by A. and gave vouchers for it and all my expenses to A. and bill was made out to A. (3577,8)

My auto men were Nelson, Hayes, Middlemiss and Zabler; cycle men were Harper and Curran. (3578)

At first two men at a time but after arrest, put on relays. (3579)

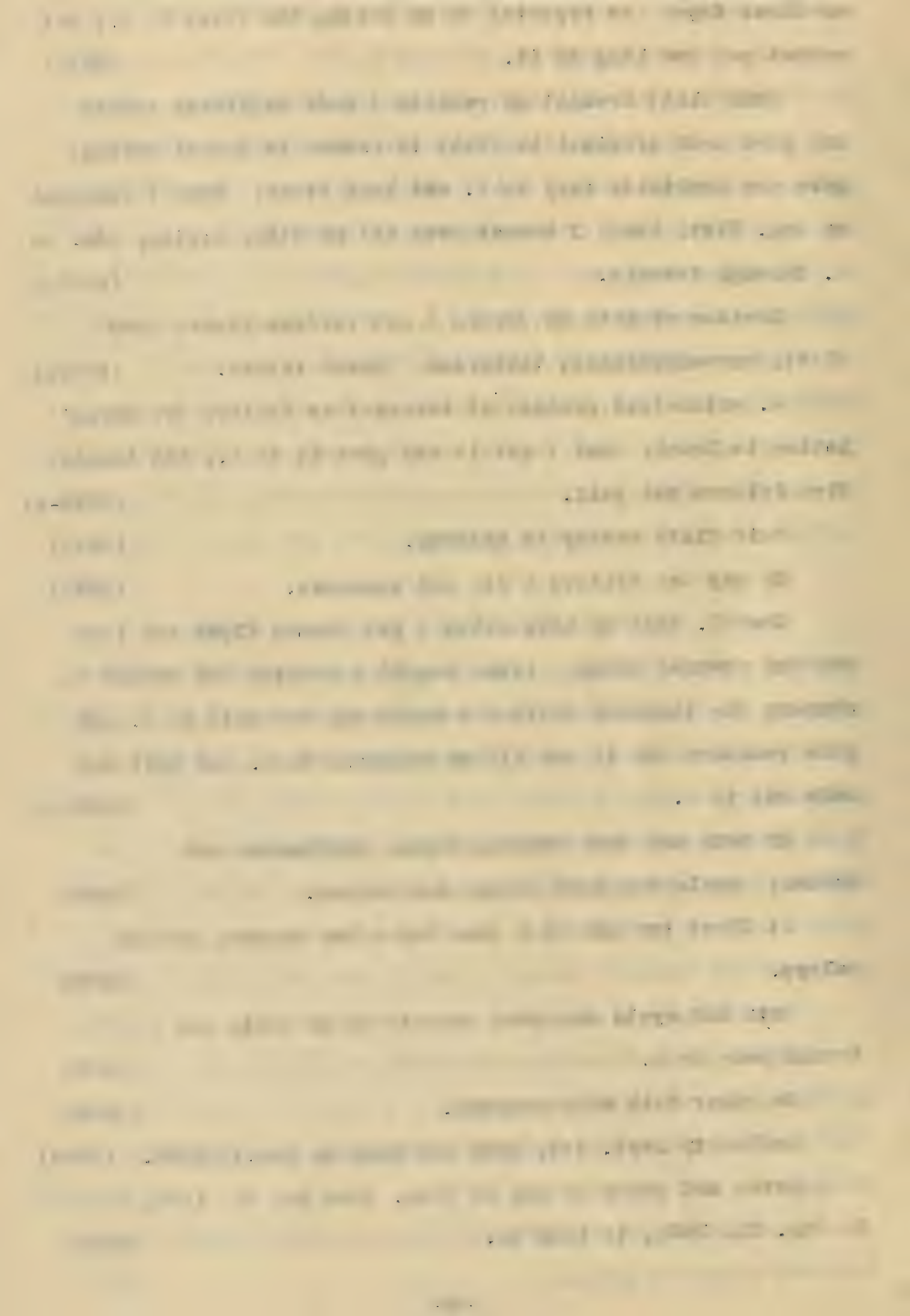
Auto and cycle men made reports to me daily and I turned over to A. (3579)

No other talk with Calhoun. (3579)

Left city Sept. 1st, 1908 and back on Nov. 19, 1908. (3580)

Never met Burns or any of Bros. from May 2d, 1907, to Aug. 31, 1908, to talk to. (3580)





Talked with Burns and Langdon at latter's house on Nov. 11, 1908, and entered employ then and until Feb. 14, 1909. (3580,1)

On Nov. 17, 1908, met A. at car-bern and went into his employment again under instruction of Burns and continued until February 14, 1908, two hundred dollars a mo. and expenses; A. said Pros. trying to get Platt before G. J. and wanted me to get him make affidavit that left company before Pros. sent into office of Dist. Attorney, and I said I would see what could do. (3582-4)

Saw Platt and told him what A. wanted and he said "You left here Aug. 31st and turned me over to A. and I still worked for him and he paid me twice but if A. wants this done I will do it;" then I told A. and he sketched affidavit and told me to typewrite it. A. said "I don't care what he says, it is not true; will he sign the affidavit?" And I said "He will," and he told me have Platt swear to it and he did in duplicate and gave to me and I gave to A. (3584-91)

Soon after that A. told me Pros. after Platt to bring before G. J. and asked if safe and could be depended, and I said I thought he could, and we discussed what best to be done and A. said to send out of the city and next day he gave me five hundred dollars which he still owed for my accounts, and requested I give two hundred dollars of that to Platt which was still due him for services rendered, and to see that Platt got away; this for expense money for Platt on trip and not for work. (3591,2)

I went with Platt across the bay and saw him on the train for Ukiah and gave him two hundred and got his receipt and gave to A. (3592,3)





Next day took his wife to Ukiah where met Platt and we went to Willits and I came back next day. (3593)

Told A. what I did, Platt en route to my home, they thought it safe; Platt 'phoned he had arrived at Daytonville and wife sick, so stayed there two weeks; in touch with me by 'phone; I told him might return in two weeks; reported same to A. (3593,4)

Next saw Platt two weeks later in city. (3594)

Another talk with A. before Platt left or after he returned and he told me to have Platt make same affidavit with exception that he said that he left company in August; did so, and gave to A. in duplicate. (3594)

With second employment under A. on Feb. 14, 1908, and went to my home till April 10th, 1908, and came down here and stayed till April 14th, 1908; didn't see A. on this trip but did see Burns; I had been subpoenaed by Goff and another and they came with me; subpoena was for police court for April 9th; stayed at Goff's house here but not called; it was Dec. vs. Hamilton, for seizure of papers. (3594-7)

Want to make correction; said yesterday turned over my reports on Aug. 31st, but find about 5th of Aug. I went to Santa Cruz; but remained in service of company till Aug. 31st; so reports delivered somewhere between 5th and 31st in August, 1908, in early part of Aug. (3595)

Saw John McNeill in Trinity county on April 17th but never before; at my home; left next morning; saw him day before yesterday at his brother's office here. (3595,3600)

Stayed at Trinity from April 17th up to May 8th and left that day. (3600)

Never served with second subpoena. (3600)



I know Lamb and McEllellan; they came to my house on the evening April 22th and left next morning. (3600,1)

Left home this time on May 22th; at Harris on May 29th, and while there 'phone talk with Lamb in presence of my two men. (3601,2)

Rec.'s Ex. "G" for identification handed conductor on May 12th. (3602,3)

I do not know attorney Monroe. (3603)

Frank Murphy boarded train at San Rafael and talked with me on boat over. (3604,4)

Hugh O'Neill at ferry and talked with me. (3605)

#### CROSS EXAMINATION.

Detective for last seven years; U. S. Secret Service two years, at same time Burns and knew him slightly. (3606,1)

Worked for Kieffler in Yeell will contest; at his suggestion I entered graft cases; that during first F. T.; he wired me on May 23, 1907, and I came three days later; my duties then were to try to get in the service of Burns and learn all I could, go to Sunderland. (3607,2)

Took up my connection with Abbott during First F. T. and was present in court room during first F. T. (3608)

Later cycle affair came up during First F. T.; up to then investigating jurors, etc. (3609-11)

Don't recall Sexton testimony as to Burns' advice to commit perjury. (3612)

Gibson told me C. told him get cycles and follow Burns and then I told L. same and he said "Whatever L. says do by all means;" and then I engaged cycles and went during First Ford. (3613)

Never talked about Burns; am not explaining Secret Service methods but I knew them. (3614-15)





It was I first suggested employment of Platt and I said I thought I could get him for me or V. R. (5614,15)

You bet I knew Burns had a lot of men working for us ostensibly who were reporting to him; dog eat dog, and that is why I ate dog myself. Don't know how many Burns had in our camp; just surmised; I mean it is safe gambling proposition. (5615)

Couldn't say whether ten or a hundred men working for Burns at that time. (5616)

The jury reports were on talesmen's sentiments. (5617,18)

Duplicates of Platt's reports were made in my office by me or Miss Harper, first on white paper and then on yellow. (5618)

The reports would be brought to me fifty or a hundred or one hundred and fifty at a time; Platt would insist that I return as soon as possible so that he could return them to Burns' office; what I got was the copies made by me and Miss Harper and her assistants. And the ones which Platt brought me were returned to him and he took them back to the office of Mr. Burns in some cases. I insisted have reports in Platt's own handwriting. In some cases Platt would bring me those reports and would insist return them as soon as possible and in other cases after the reports were in my office two or three days he would say that he did not think they were of any value and that he would not return those but that I might keep them. (5619,19)

That continued from time I first spoke to Platt until I had him report to I. and that was in August before I left town. (5620)

My communications with Platt ceased when I went to Santa Cruz until I got back; left town Sept. 1st; resigned from Railroad Aug. 31st; went to Santa Cruz and San Jose on Aug. 7, for a





couple of weeks and turned my men over to A. Approximately I did no work after 7th of Aug. up until I paid my men and settled my accounts with the Railroad; turned men to A. before I left for Santa Cruz on Aug. 7th but still in service of Railroad but not working; don't know whether I gave my file and reports before I left for Santa Cruz or after. (3620,1)

A. and Brown were present when I left for Eureka. (3621,2)

When I returned here on November 10th, it was at my own instance and at on one's request. (3622)

When I saw Langdon and Burns here on my return on Nov. 11th it was at my own solitication; after discussion with them and on same evening of 11th I went to work for Burns. (3623,3)

Six days later and on Nov. 17th I went to A. and reported; and he did not send for me but I went myself and remained ostensibly steadily at his work until Feb. 14, 1909; no men under me; my agency closed since license put in; have no views to express as to whether Burns drove us out. (3623,4)

Quit Burns and the Railroad on Feb. 14th, 1909, and no compensation since. (3624)

Arrived back in city on the 10th of April. (3625)

I was to give Platt two hundred dollars out of my five hundred and I did and was reimbursed next day by A. (3626,5)

I did not intend to say that that two hundred dollars was due Platt; it was for his expenses only, but the company owed him about four hundred dollars. (3627)

Had been in McL.'s several times and had met C. there and McL. there; in answer to your question if I met any of them thereafter I went into Burns' employ I say I met A. right along but I don't recall who else I met. (3628,4)

After Nov. 11th, when I went into Burns' employ I did not get any papers or copies from Platt; Platt resigned from Rail-



read latter part of Oct. or Nov.; got no papers from Burns' office after I came back in Nov.; got papers from Garbin in the employ of Huef, got papers from Burns' office during that time and told Burns I was getting them. (3634,5)

The last payment I made to Platt myself was when I settled with him before I left the city in Aug.; the last money I handed him was the latter part of Nov. or middle of Dec., 1902. Don't know whether I made the two hundred dollar payment to Platt before I entered the service of Burns or after but I made it before I went north in Sept.; before Sept. 1st; made it before I entered the employ of Burns and in Aug. some time. Got receipt from Platt for the two hundred dollars and it calls for Dec. 7th. (Confusion about same.) (3636-3)

I did say yesterday I was in and out of court-room during first Ford, but I was not there while testimony was being taken; if I was there at any time while the testimony was being heard it was not for two or three minutes when I went to hand A. a note or C. a note. Q. You went into the court-room and came up to where counsel was sitting and made your reports openly there in the court-room? A. I handed my reports in an envelope, in a sealed envelope. Q. You would go right up in the presence of the Court? A. I would come up openly, I would hand my reports in an envelope to Mr. A., or any of the counsel who happened to be there; in the event of Mr. A.'s absence, I would hand them to whoever was there to receive them, Mr. Moore, Mr. W., Mr. C., whoever might be there to take those reports. (3639)

My auto men would be arrested and held under subpoena in attendance and A. told me to hire attorneys for them and pay them; not tried yet though arrested more than a year ago: trial





will be set shortly.

(3633-43)

Turned over all my papers to Francis between Aug. 5th and 7th and that included every report I had obtained myself and everything I got from Platt; twenty-eight hundred copies of reports obtained by Pres. agents; correspondence, telegrams.

(3643,4)

Did not give Burns a copy of Platt affidavits and never double-crossed Railroad for Burns.

(3770)

After I went to work for Burns on Nov. 11th, I told him of Platt affidavit.

(3770)

I think I furnished Burns with a copy of the Platt affidavit.

(3773)

#### INDIRECT EXAMINATION.

On refreshing recollection I say autos first put following Burns about April 29th, 1906, when he came back from the east.

(3776-8)

The talk with Calhoun about cycles was during the latter part of the first Ford or beginning of second Ford.

(3778)

Autos following Burns during Atlantic Fleet time.

Gallagher house dynamited while Burns in east, and when he got back on 29th, Gibson and I and a number of men went and watched him get off the train and then followed him; after I had White Steamer on a day or two I told C. not giving service and he said he would have a talk with C. and he later told me to put the machine on and follow Burns everywhere and I did so until the men were arrested. Moragold working under me then.

(3781-4)

After saw Hugh O'Neill at ferry I talked with him over 'phone from Coff's house.

(3784)

Mobler was one of my auto men.

(3784)

Gave Hugh O'Neill my 'phone number at ferry and I called him up by 'phone first. When I talked from Coff's house he





beside me; later on same day Hugh O'Neill called me up and then I called him up at Nelson's office as requested; he called me up and requested me to call him up at Nelson's office, which I did an hour or so later and then talked with Nelson immediately after; I told O'Neill to call Nelson to the 'phone and then I had a talk with Nelson and Goff was present; had never met Nelson before. (SV95-7)

Shortly before Burns returned on April 27, 1908, Platt met me and informed me that a woman had gone to Burns' office-- I got Platt and he made a report to me and I sent that to J. by Longold. (SV95,8)

Had known Brown from first Ford but after trial never saw him except passing on the street and never had any work that connected me with him. (SV95,5)

Talk with Stanley Moore. (SV95,6)

William Barnes employed by me for auto men and I paid him and the other attorneys and he paid me. (SV95)

Platt: "Somebody shoot that A.B. Money." (SV95,7)

Burns system as to originals and copies; and Platt would bring me these copies, never at any time bringing me the originals which were always kept ready for court or whenever the Pros. wanted them. About Aug. 5th or 6th, 1908, subpoenas were out for myself and my men and under the instructions of J. I got them under cover and I went away on the 7th, and before going I turned these things over to J. telling him that subpoenas were out for me and my men for following Burns' auto. (SV95-9)

When I gave J. the Leese letter he said "This is important, I will keep it;" I brought the original letter to J. and I never got it back; Platt gave me a copy of Burns'



letter and I gave that to . and never got it back. (3799)

RECROSS EXAMINATION.

I knew about the megaphone at Metson's office and that is why I did not fall into your trap. (3801)

RE-AM-DIRECT EXAMINATION.

That talk over the 'phone was that O'Neill called me up and said "Want to notify you Railroad people will not pay you three thousand dollars for your testimony," and I said "Want you to understand am not asking for three thousand for my testimony, call Metson to the 'phone," and then I said "Mr. Metson, I am not asking you for three thousand dollars for my testimony and I am going to tell the truth, and I have been approached, when I get on the stand I will tell the truth." (3801)

Watchers outside of Goff's house. (3802-7)

Think it was on April 3, 1909, I was subpoenaed by Goff in Sec. vs. Handlon; and circumstances of subpoena and coming to the city and of stay here then; talked with Harrison then about my testimony and with Burns and made affidavit and left same with Burns; Goff and Lorentzen accompanied me back home on April 14th. (4612-20)

John O'Neill visited my home on April 17th and left on April 18th. (4621,2)

Lamb called on evening of April 23th and stayed over night and down at the river he asked me if I was a mason and said he had a proposition to make to me as a mason and he then said that he came from Attorney Mumree and told me to stand pat and not to testify and that they would stick by me until Hell froze over; and I told him to notify the San Francisco people that I wanted three thousand dollars and





wanted it to be handed me by him and that then I would not appear. He said he would meet me in Duraka when I came through. He talked about the cases generally; he said among other things "You had better stick to the Railroad, they will do the right thing by you." That was after I asked for this three thousand dollars. (4127-32)

Just before Lamb left next morning he said that he would go down as soon as he could and see Luabee and that I would hear from him in Duraka and that he would watch when I came through, and I told him I expected to go in most any day, leading him to think that I had not been in the city, he said he had heard of course, all that sort of thing. Q. What did he say about having heard? A. No, wait: I am mistaken in that, because Lamb was with me on the boat when I returned from the city the first time in April; it was April when I had told I had not been to the city. (4128)

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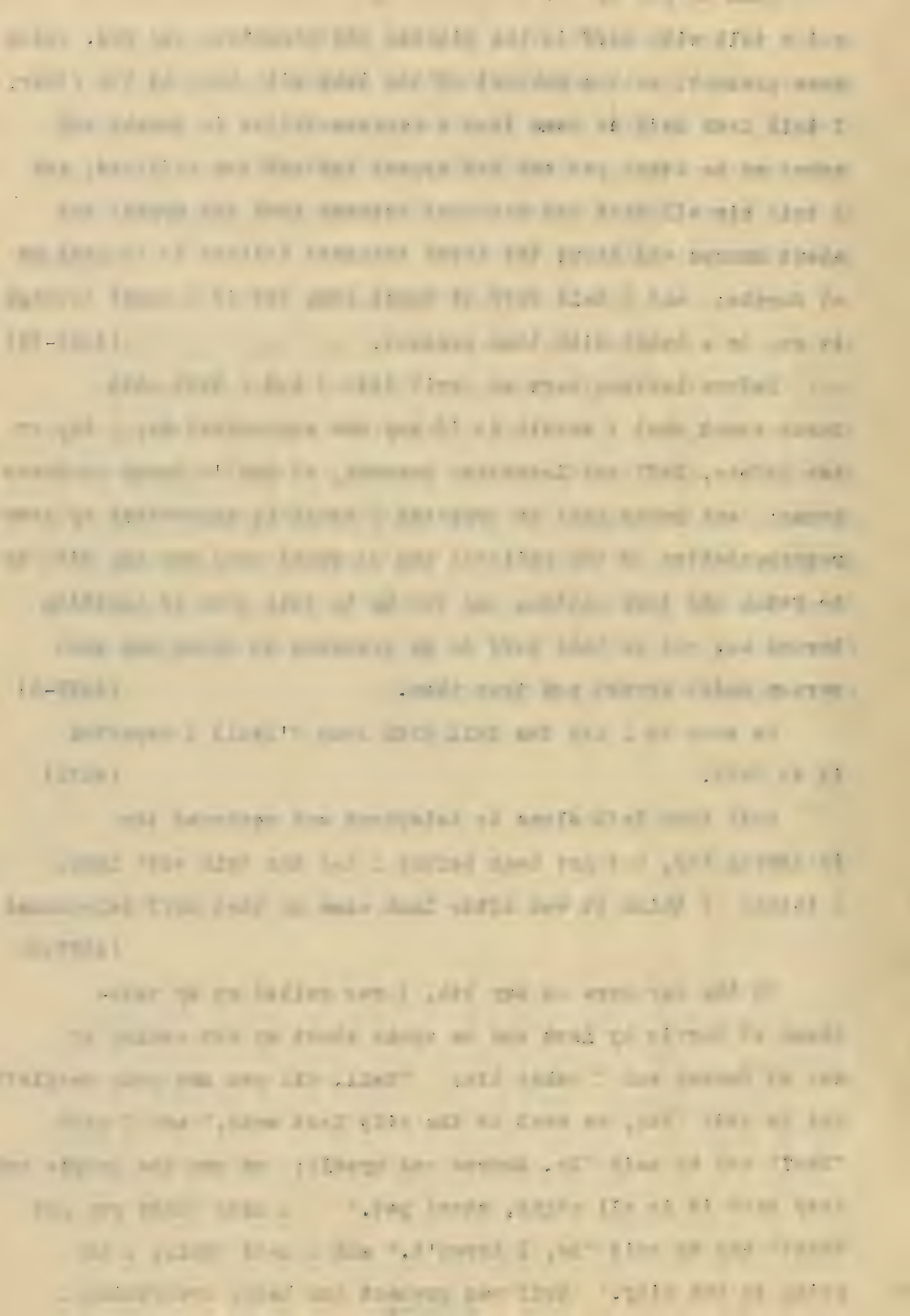
When we put up the horses and got back to the hotel I had a talk with Goff in the kitchen and Lorentzen and Mrs. Helms were present, on the subject of the talk with Lamb at the river; I told Lamb said he came from a representative in Eureka and asked me to stand pat and not appear against the Railroad, and I told him all that had occurred between Lamb and myself and about Monroe and about the three thousand dollars to be paid me at Eureka; and I told Goff it would come off if I could arrange it so, in a hotel with them present. (4669-72)

Before leaving here on April 14th I had a talk with Burns about what I should do if any one approached me, a day or two before, Goff and Lorentzen present, at Goff's house or Burns' house; and Burns said he expected I would be approached by some representative of the railroad and so would send two men with me to watch and take action, and for me to tell them if anything turned up, and he told Goff in my presence to place any such person under arrest and trap them. (4672-5)

As soon as I had the talk with John O'Neill I reported it to Goff. (4675)

Goff then left alone to telephone and returned the following day, but got back before I had the talk with Lamb, I think; I think it was after Lamb came up that Goff telephoned. (4677,8)

On the way here on May 9th, I was called up by telephone at Harris by Lamb and we spoke about my not coming by way of Eureka and I asked him: "Well, did you see your people?" And he said "Yes, we went to the city last week," and I said "Who?" and he said "Mr. Monroe and myself; we saw the people and they said it is all right, stand pat." I said "Have you got that?" and he said "No, I haven't." and I said "Well, I am going to the city." Goff was present and heard everything I





said and I told him in the presence of Lorentzen what Lamb had  
said to me.

(4879-81)

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I am unable to identify all those reports that I have picked out as having been delivered to me by Ellett, since heading those reports into the Railroad learned they had another source in some way from Luras' office; could not identify any particular one because headed as many to Railroad, but identify them by initials; delivered reports of some general appearance and having those initials; picked out pile nearest you as copies of those from Luras' office; yellow sheets lying on top, legal cap size, lead pencil numbers, seem to be eight sheets, these are numbers by which those reports have been designated by clerk; the reports bearing the designation of the clerk, numbered in conformity with the numbers on these sheets, are the copies of reports which were from Luras' office, could not say if they are copies of originals as these are first sheets and I struck them off in carbon form; gave first sheet to A. and retained carbon myself. (Reports and list put in evidence.) (4870-48)

All those that you have in your hand, Mr. Rogers, are copies and these others are reports, some coming from my office, from men in my employ, connected with P. R., others I do not know anything about; others that are not initialed and they do not look like copies of reports as having come from Luras' office; some are initialed by the man who worked under me. (4879)

Some time after entered employ of U. R. and reported to A., had a talk with him about Lex Benlin; we were discussing means of trying to get hold of information from Luras' office, and he said that Benlin was the chief clerk and would be valuable man with access to all of the information required and would be worth ten thousand dollars if they could land him. (4880, 80)

Up to Sept. 1st, 1904, had no conversation with Benlin.

(4880)

After I went to work for LURAS and after I went back to





employ of railroad in Nov. of last year had a talk with A. about Harlin in which I recalled previous talk and said I thought he could be gotten to work for the railroad, and A. said "I don't want any such thing as that done at all; I want you to leave Harlin alone. We can go to trial and win on the merits of the case alone without doing that sort of work," and I said "All right." (4850,1)

After that talk with A. I had a talk with Harlin in Nov. or Dec. of same year and after this talk with Harlin I did not have another talk with A. (4851)

Two or three days after the talk with Harlin I had another talk with A. and A. then said "Holms, I understand that you have been talking with Harlin, you have gone to see him," and he said he had heard it and I said "Yes, and further than that I have ascertained that he is working for the U. R. at two hundred dollars a month, he and McKinley." He denied it and said that it was news to him and I said that he was reporting to Father Brown, and he said that he would see about it at once and stop all that sort of business if it was a fact and he again told me not to go near Harlin; that was in the latter part of Nov. or beginning of Dec., 1898. (4852,3)

Did not meet Al. McKinley then but met him afterwards. (4853)

I told Burns I had seen Harlin; Raymond Burns went out there with me near the house and saw me enter a U after I came out I told him what took place inside. (4854)

About mid-day on the day after, or the night rather, that I had talked with Harlin I had the first talk with Al. McKinley and no one went with me to see him; the same day or the day following my talk with McKinley I told Burns I had seen him. (4854)

While working for U. R. and while Platt was delivering

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papers to me from Burns' office I had to talk with A. in which I told him that Platt said he would have to have some keys to get into Burns' cabinets and so forth, and A. told me that "We want all we can get, tell him to go ahead;" and he wanted a key to the safe and those cabinets, and rendered a bill for them which I submitted to A. and A. paid me; I paid Platt every month including all items that were incidental. (4684,6)

Q. Did you at any time in court during the first or second Ford trials, deliver any of those copies or reports which had been delivered to you by Platt as coming from Burns' office, to the attorneys for Dr. Ford, in the court room, while Dr. Patrick Calhoun was there? A. I did; and I also saw them use them; saw them used in the impanelment of the jury while I was sitting behind Calhoun and the attorneys for the defense; I saw Calhoun looking at them. In answer to your question if I heard any talk between Calhoun and any attorneys in relation to them, I say only to the effect that some times one attorney would hand him a paper or a report and he would look it over and then smile and talk it over, and I did not catch or try to catch the conversation. (4684,6)

CHIEF EXAMINER.

The impanelment in the second Ford trial was by those sheets right there and you know it, by those and by the white sheets A. had and distributed among you attorneys to get additional information. (4686,7)

We made a messon in New York city and in Italy; Sylvan Grove No. 275 was the N.Y. lodge, 1890; not a master at that time and don't recall who he was; did not take all my degrees there but took three degrees there, a master Mason; think Lockett was Foreshipal Master; have my diploma at home, am now a member of that lodge in good standing but have taken no permit, that is,





have taken these degrees in Italy; am a thirty-second degree Mason according to Italian laws; Livorno, Tuscany; 1886; speak Italian, French, German, Spanish and some Portuguese; Japanese and Chinese. At that time in Italy I was in the Government service; entered U. S. Marine Corps in 1897 at Washington as a private marine and received same promotion; was sergeant of Marine on U. S. Ship Chicago; took higher degrees in Italy; ship was at Livorno; am a thirty-second degree Mason by Scottish Rite; have been recognized at every lodge in this country at which I called, N.Y. City; visited South America, Italy, England, China and a great many other places but don't think visited any lodges in U. S. outside of N. Y. City. I don't recall that in the Blue Lodge I have visited any lodge except my own in America; too busy to visit any lodges in San Francisco and did not. I visited no other lodge in N. Y. City outside of my own; except outside of America I have not been in any other Blue Lodge except my own, Sylvan Grove Lodge No. 275. Have not visited my own lodge since I left N. Y. to come out here; have not been at my home lodge since 1901. (4065-61)

Jewels and charms.

(4061,2)

Sylvan Grove in good standing.

(4062)

Wore charm of thirty-second degree Scottish Rite Mason. (4062)

Took me three months in Italy to receive degrees. Upper degrees conferred on me by ancient No. 1; gave me everything. (4063)

Some of those copies were made by stenographers sent me by Miss Warner, some by myself, some by Mrs. Helms and some by U. S. stenographer; recognise them by initials; will not venture to name the man unless you show me the initials. (4063,4)

What I turned over from my own office to A. in Aug., 1908, were copies of every report I had rendered A., in addition to a



lot of original reports which were handed me by Platt and never asked for or returned to him again; they were separate from the file that I gave A. at the time that I turned over these reports; I don't find any of those in this package now.

(4265)

These look like the reports I turned over to Francis. (4266)

I have a typewriter at my house and write my letters upon it occasionally and occasionally sign them on it; I recall that letter of Feb. 25, 1909, and it is my letter and I sent it to Hugh McNeill.

(4268)

Matters in which Hugh McNeill acted as attorney. (4267,8)

I notice the testimony given by me at page 3273 of this record, and I say by way of explanation that the originals that I made from the originals handed me by Platt I gave to Mr. A.; in some cases I might get them mixed and slip in a copy that I should have kept myself; the list that I have looked over here contains some reports made by my own men to me and submitted to the U. S. in the same manner as I submitted the others.

(4269,70)

Of those that have not been admitted in evidence, those which I do not recognize, and when I put to one side in the pile, a part of those I recognize as reports submitted by my own men to me, and some of them quite a number, I obtained by having a stenographer present during the brief examination of telegrams.

(4270,1)

That one marked E. F. Luther is the report of J. F. McCarthy; "W.S.S." is Walter S. Schindler and "L.S.S." is Leonard Schindler. That one marked by the clerk No. 632 "Edward J. Hooper" contains a little statement concerning him and his learnings and qualifications and is signed by W.S.S. (4271,2)





When these reports were first obtained Burns had not any filing cabinet but the reports were filed one on top of the other and put in alphabetical form; as they would go through them from A to Z, going over them again, they would insert those from later reports; I don't think Burns had a Yawman-Erbe file. (4872)

In answer to your calling to my attention my testimony at page 3597 of this record with reference to originals and so forth, I say that I wish to explain that as follows: These copies were just as much originals in Burns' office as the copies that were made. One copy was submitted to the Crea., and one copy was kept there for information, and the latter was the one I received. If I had taken the original reports and kept them I could not possibly have kept Platt in that office as long as I did. (4873-4)

History - as a nation. (4874-4)

U. S. Government service; career generally. (4875-6)

#### EDWARD BREMER TRIP.

Recollections. (4876)

I remember receiving report from Platt which was delivered by me to A. relating to a man named Wilhelm and I reported it fully to A. on the same day that I got it; later after talking to me on the 'phone furnished me with written reports and after he gave me that report I took it personally and delivered it to A. and discussed it with him; details of the report on Wilhelm to A. I only had one talk with A. on this subject, only when Wilhelm was arrested and on this latter occasion I told him it was funny that this man would be arrested with bombs without dynamite in them and he did not seem to pay much attention to it. A. and I did talk about the fact that the



arrest of Wilhelm had been caused by Burns.

(4373-32)

Reached Bridgeville about midnight; Goff and Laurentsen went ahead of me and I saw them the moment I arrived; Marvel met me at once and said "They are expecting to hear from you," and I said "I will call them up at once;" Lamb had given me the number and I called up the wrong number; I telephoned to Burns office from Bridgeville.

(4373,4)

When I spoke about 'original reports' being retained by Burns, it was my understanding from Platt that Burns had the same system as I had, that is, he would strike off two copies of every report that came in and the first of the two would be mailed for the reference of the attorney and the second would be retained for the men investigating jaspers; the original would be retained by Burns. As to original reports written out in the handwriting of the operators, in some cases, in two or three isolated cases, I gave handwritten reports of some of these operators to Mr. A. and he always insisted on Platt's reports being in his own handwriting. I never was in Burns office when any reports were turned in and never saw any original reports there; my information is from Platt; the Burns men would write out their reports in longhand and submit that to the stenographer and she would make a first and second copy thereof and then the handwritten report would be thrown away or thrown in the waste basket and in some instances I got these reports. In answer to your question if I had the originals delivered by the operators I saw that in some isolated cases when Platt had explained to me that he got them from the waste paper basket I would attach them to the report in typewriting which I sent to A. but never at any time did I retain such





original handwriting report in my office but I sent those to  
A. The original reports made by my own operators to me in  
their own handwriting I invariably destroyed after they were  
written up and it was my understanding that the same system  
was followed in Burns' office, only under circumstances where  
the stenographer would fail to tear them up or simply crumple  
them in her own hand and throw them in the basket. (4054-7)

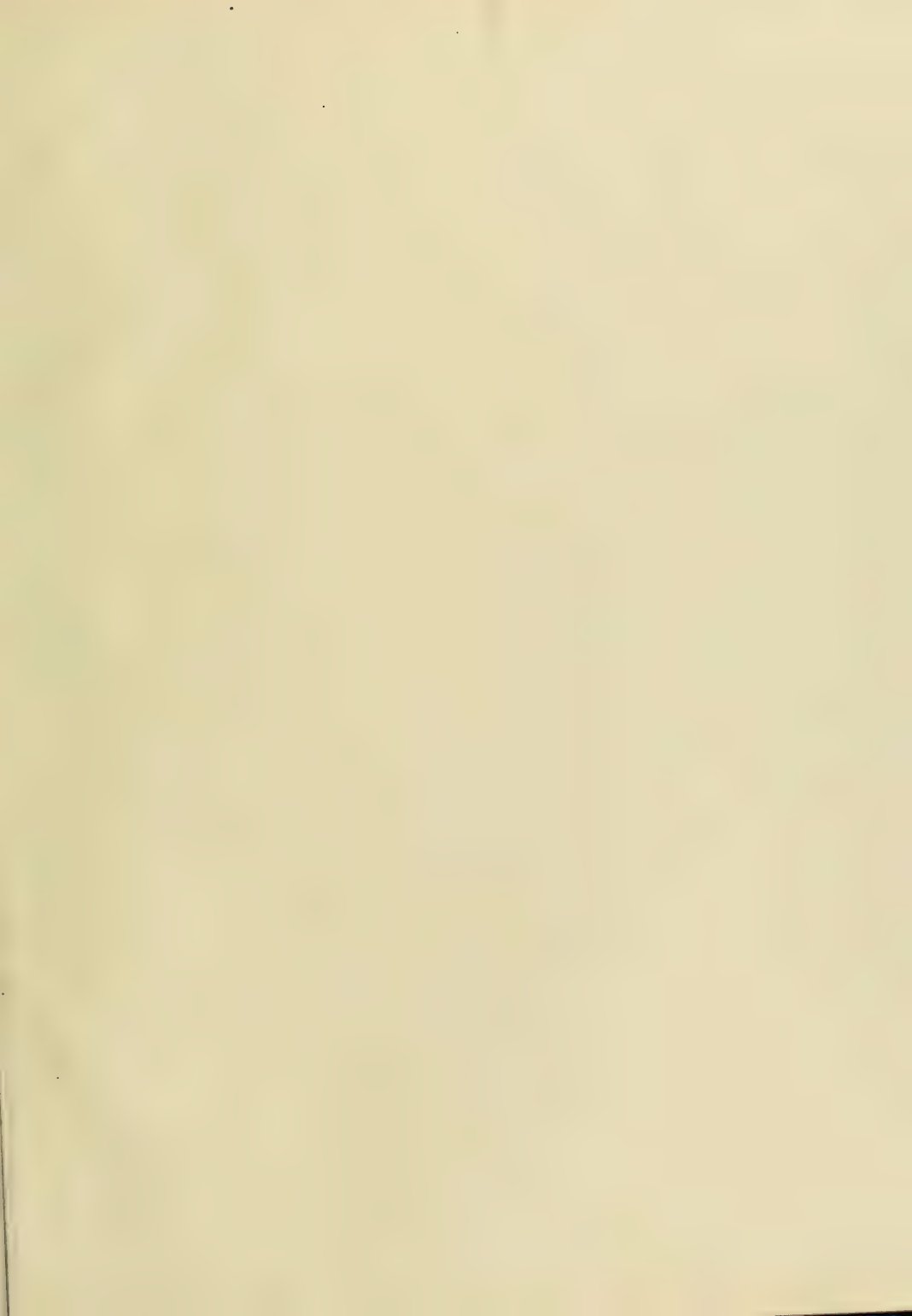
The handwritten reports submitted to the stenographer  
in Burns' office I have not referred to and did not refer to  
where I spoke in my examination by Rogers about originals;  
I meant the typewriting reports. (4059)

After Elati had been delivering reports to me for some  
time he told me that these duplicate typewritten reports were  
locked up so he could not get them without a key and he told me  
that lots of things he wanted to get access to were locked up  
and he asked me the manner in which he should go about it and  
get impressions of the keys and said that he had some idea  
from one key of these various places and that was his way of  
getting in to get what he wanted. (4060)

I cannot tell you whose signature there is to serial  
number 860; the initials on 281 are Rex E. Harlin and in 1935  
he was employed in Burns' office in the capacity of his secre-  
tary but I have no independent recollection or reference to  
the report; I never received any reports from Harlin through  
my office. (4061)

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# Testimony of Supervisor Nicholas,

Given at the

**Calhoun Trial (1436)**

Also Testimony of Supervisor

GOLDMAN -- PHILLIPS -- REED

Given at the Calhoun Trial (1436).









# IIII.

I.	AMERICA - - - - -	Pages 1 to 40
II.	EUROPE - - - - -	" 41 to 88
III.	AFRICA - - - - -	" 89 to 136
IV.	ASIA - - - - -	" 137 to 184





TESTIMONY OF SUPERVISOR FICHELAS, GIVEN AT THE  
CALHOUN TRIAL (#1436).



For five or six months after the fire, commencing in the week after the fire, meeting place Board Bowry Hall.------(61)

Have known Gallagher since campaign of 1908.- - - - - (62)

I can't remember date trolley matter came up first time in board after fire, but was shortly after the earthquake; can't say what month; was present when it came up for passage to print and voted upon it then; I believe I was present at a subsequent meeting when it came up final passage and my recollection is that was the following week, or maybe the next day. I t was a pretty short time after the fire that the trolley matter came up for passage to print.- - - - - (62,3)

I did have conversation with Gallagher in regard to trolley matter; I think it was on the Saturday previous to the matter coming up in the board, that is the best of my recollection; at Bowry's Hall. Q. What was said between yourself and Gallagher at that time and place? A. Mr. Gallagher was just going out and he says "The matter of the trolley will come up"-- I ain't sure now whether he said Monday or not, but at the next meeting I believe it was. Mr. A.A. Moore: Will your honor request the witness not to drop his voice. Mr. C'D ara. Q. Did you complete your statement of what occurred between you at that conversation? A. He said to me there would be \$4000 in the matter, and that the matter would come up Monday and just about that time a man that was with Gallagher, I believe, when he went out, came back in and says: "Hurry up, we will miss that fellow", and Gallagher went on. I am not positive whether I made a reply or not..... The matter had not come up in board prior to this conversation. That I have any recollection of. - - - - - (63-4)

It was passed during the holidays, and then passed again quite a while afterwards, I believe it was after the holidays ceased, but I can't think I could tell you what month, though I think it was July.- - - - - (64)

Q. Now, you state that Gallagher spoke to you, you think, on the Saturday before the matter came up; do you mean before the matter came up for passage to print the first time, or before the matter came up for final passage? A. For passage, I believe it was. We were meeting every day. Now I may be mistaken on account of meeting every day, whether it was on the Saturday preceding the Monday it came up, or if it came up on Monday. I am not positive it did come up on Monday. Q. I am asking you whether you mean its coming up for passage to print? A. I believe that was the first time it came up. Previous to the first time it came up ..... that is for passage to print.- - - - - (64,1)

I received \$4000 from Gallagher in two payments of \$2000 each. I should judge that I received the first payment about six or seven weeks after the passage of the ordinance in the board after the holidays; at Bowry's Hall and at the time he gave me that first payment, I don't think he said anything; he just came up and handed me the package; currency; it was in \$50 and \$10's, and I think there were three 1's and a 2, and a 5 in it if I recollect right. There were some of some practically new





and some of them were old.- - - - - (87,8)

I should judge the second payment of \$2000 was made to me by Gallagher about six weeks or maybe two months after the first payment; and this was at Bowry Hall and he did not say anything to me, but just done as he done the first time, handed me the package and walked off; U.S. currency; to the best of my recollection they were hundreds and 50 bills; both payments were in an envelope; I have no way of fixing the exact date when I received those two payments.- - - - - (88,9)

The money that I received from Gallagher on those two occasions I put in the safe deposit box in the Western National Bank and I have used it; I have paid off luster bills on some occasions with it.- - - - - (89)

As to your question whether or not before this matter came up in the board I had known any of the officials of the U.S. I say I knew Mr. Ford; met him for the first time right after the earthquake, but I did not know then in what capacity he served the U.S., but I know now, general attorney, I believe. I did not have any conversation with Ford before this matter came up in board in relation to the trolley matter.- - - - - (89,90)

No one whom I knew to be an official or an agent of the U.S. spoke to me in relation to the trolley permit before it came up in board.

#### CROSS-EXAMINATION.

I heard Hency yesterday say in his opening statement: "They are charged with the offense of offering a bribe, and I emphasize the word "offer", although it is not the purpose of this statement to make any argument, but I emphasize the word "offer" to draw your minds to that, as there is a difference between offer to bribe, not the payment of a bribe, and the case must swing upon the question as to whether or not an offer of a bribe was made to Nicholas." and I believe I comprehended what he meant.- - - - - (90,1)

Gallagher met me at Bowry Hall and there said that the trolley matter was coming up on an early day and that there would be \$4000 in it.- - - - - (90)

As to your question whether Mr. Gallagher ever had any other conversation with me on that subject than that one, I say he might have, I cannot recollect of it at the present time. (91)

I did testify at the third Ford trial, page 436, as follows: "Q. Would you say that that conversation lasted more than a minute, "Mr. Nicholas? A. I don't believe it did; I do not believe it lasted a minute. Q. You say you only had one talk with Mr. Gallagher? A. That is all. Q. Until the time several months afterwards when you say he paid you the first money? A. That is "correct", and that was true. And so to the best of my recollection I had but one conversation.- - - - - (91-1)

I have not at the present time any recollection of any further or other conversation on that subject than the one I have related.- - - - - (101)



Gallagher said to me that the trolley franchise would come up and that there was \$4000 in it for me at the time, and place that I have mentioned. - - - - - (101)

A. I did testify on July 23, 1907, at the trial of Louis Glass, as shown at page 1110 of the official transcript as follows: "Q. Before I come to that, however, did you receive \$3500, as you have already stated that you received, \$3500 from the 'Long' people, did you receive \$4000 upon the trolley franchise?" A. Yes sir. Q. From whom? A. Mr. Gallagher. Q. He told you that there was to be that money in it for you if you voted 'their' way? A. I could not be positive of that. Q. What is 'your' best recollection? Did he not give you to understand--"A. I don't think it was Mr. Gallagher; I think it was a kind of an impression raised around in the board. I do not think it came to me direct from Mr. Gallagher; it might have; I am not positive. Q. Did you understand, before that matter came up, that there was to be something coming through on that? A. Yes sir. Q. Who told you so? A. I believe it was some of the members of the board; it might have been Mr. Gallagher, but I could not be positive it was. Q. You would not say it was not Mr. Gallagher? A. No sir. Q. Did Mr. Gallagher tell you how much there would be in it? A. No sir, I do not think he did. Q. Did he not tell you there would be \$4000? A. I do not think Mr. Gallagher told me that. Q. You are quite sure "I don't think I have got no way to frame my mind that he did." And I took my oath to tell the truth, the whole truth, and nothing but the truth and July 23, 1907 was closer than this is--(101-2)

A. At the Glass trial, then, you swore, did you not, that Mr. Gallagher did not tell you that there would be \$4000 in it, or that you did not think Mr. Gallagher told you that? A. That might have been my impression at that time. Q. Well, did you not say at that time, "I have got no way to frame my mind that he did." Have you framed your mind since? A. It might have come into my mind that way,..... I don't know how a thing comes in a person's mind. When I said "I have got no way to frame my mind that he did", I meant just what I said there; it was not in my mind at the time. - - - - - (103)

Often you will forget things and then they will come into your mind; there is nothing put into my mind; it came into my mind quite naturally; sometimes they also go out of my mind. (103,4)

They were both the truth, as far as I could recollect it; have I say positively that Mr. Gallagher told me there would be \$4000 in it, I am positive of that now. - - - - - (104)

Q. You say that is the truth as well as this: "I. Did Mr. Gallagher tell you how much there would be in it? A. No sir, I don't think he did." A. Well, that is the way it appeared to me at that time; it did not strike me right off that he did. (104)

I gave the matter my best consideration then. - - - - - (104)

I do never so give testimony without thinking, deliberating and recollecting. I give it just as it comes to my mind when the question is asked. That is the way I got of doing it, s





long as I know it is honest in that portion of it.- - - - - (104,5)

If Calhoun had been on trial at the time I testified in the Glass case, I would have testified just as I did in the Glass case if it came to my mind just like that, and I believe it would have come to my mind.- - - - - (105)

I was somewhat nervous when I went up on the Glass trial and I don't say that my mind was the very best. I do not say my mind is of the very best to recollect things of that kind. It is at its best so far as the best is concerned at the present time. I am doing the best I can now. I was doing the best I knew how at the Glass case when I testified as you have read. I would say my mind was worse in the Glass case than it is now for the reason that I was somewhat rattled, you might say; no, it was not worse than now.- - - - - (105)

I discussed the matter of my testimony on that offer after I testified in the Glass case; I did it with O'Kara. As far as I recollect the object was never referred to. I don't know whether there was anyone else present; I don't think I talked with Honey about; I cannot recollect at the present time that I did. I believe that I did one day go down to Honey's office and talk to him after my testimony in the Glass case, and I think there was a trial going on at the time, if I am not mistaken, and it might have been the first Ford trial.- - - - - (106)

I am testifying under a promise of immunity, not only for the acceptance of this bribe, but for all other offenses committed while I was a supervisor. Who I talked with about giving me immunity was Gallagher. He was the first one; he met me and the other members at a meeting in our hall and there we all discussed the subject of giving testimony and receiving immunity; after discussing with Gallagher the subject of giving testimony and receiving immunity, I talked with Mr. Langdon about it, and after talking with Langdon about my giving testimony and receiving immunity, I talked with Spreckels about it. I believe it is right to say that I first talked with Gallagher and then with Langdon and then with Spreckels. I think it was at the Native Sons Hall that I talked with Spreckels about giving me immunity and my testifying; I don't know that I had a great deal to say to Spreckels about immunity, but I talked on the subject with him and he said that so far as he was concerned there would be no prosecution of us. I had already been indicted in November, 1906, and I was promised immunity for that as well as for things upon which I had not been indicted; and upon receiving immunity I was to testify whenever called upon. I have been informed that I must testify truthfully or else there would be no immunity. Who is the judge of the truth or falsity of my testimony and who will give me or will withdraw my immunity I say I believe the District Attorney's office has the judgment on that question. (107-9)

I knew that after Coffey testified in one case that his immunity was withdrawn and he was indicted and prosecuted for receiving a bribe, not for perjury, and I knew that happened after the Glass case and before this case; and I knew that after Wilson testified once, his immunity was withdrawn and he was indicted and the indictments are still pending against him.- - - - - (108)

It is my understanding that if the prosecution thinks I am not telling the truth, my immunity will be withdrawn and I will be prosecuted.- - - - - (109)



I have never in this very written some false statements under oath in order to protect myself from prosecution-- if that is the affidavit I realize what you mean now.-- - - - - (110)

I made an affidavit and swore that it was the truth along about the time that M. and the supervisors removed Langdon from office. But I could not say for what purpose it was made at that time.-- - - - - (111)

Now that you have called my attention to pages 1143 and 1126 of my testimony given me in the first Glass case, I remember that all the supervisors made an affidavit, but I did not think that the affidavits were to be used in the suit at the time the affidavit was made, but I knew it afterwards; at the time the affidavit was made, I did not know that M. was a candidate for district attorney. I did not make that affidavit for the purpose of putting M. in as district attorney and ousting Langdon in order that Langdon might not prosecute me.-- - (111,12)

I did not say as follows in that Glass case: "Q. You knew that M. was then trying to get into the district attorney's office as district attorney? A. Yes sir. Q. And you expected "his to prevent your being indicted for these offenses if he got in there, did you not? A. Yes sir. Q. And that was the reason for signing? A. Yes sir."-- - - - - (112)

As to what I meant a moment ago when I said I did not know that M. was a candidate for District Attorney, and that I did not sign that affidavit to prevent Langdon from prosecuting me, I say the way it appears to me now I did not. I have a recollection that I did not know that M. was a candidate for district attorney, or was supposed to be district attorney at the time the affidavit was signed.-- - - - - (112)

You tell me that this affidavit was after M. was put in as district attorney, and that Langdon was bringing suit against all the supervisors to prevent him from ousting him and I say then I certainly knew it at that time.-- - - - - (113,13)

I signed that affidavit and remember putting it, defendant's exhibit 1, in evidence.-- - - - - (113-13)

(Affidavit set forth.)-- - - - - (113-13)

I remember that part of the affidavit in which are allegations are denied, and when I swore to that it was not true; I really did not know what I was doing when I swore to it; it was sent down from his office to be sworn to and I was going over to the hotel and I met a bunch and they said "Come on, there is a job over here for us," and that was passed to us. It was read over to me and I knew it contained the statement that I have mentioned together with such other words as are there.-- - - - - (113)

I signed that affidavit because it was sent down from M.'s office, and I believe that my intention in signing it was to put M. in as district attorney, or to keep him in what he would not prosecute or indict me for offenses. I admit for the sake of preventing myself from being prosecuted - swore falsely to that affidavit.-- - - - - (114)







Nobody spoke to me about any conflict in the testimony in the Glass case and this is the first time I have heard of it, and I have never read my testimony over.----- (124)

The experience at Coffey has not made any change in me and I do not know that the reason Coffey was prosecuted was because he testified that he had no previous offer. I know he was prosecuted, and I believe I was present in the courtroom when he testified in the Lord case, but I have got the recollection at the present time that he testified that he had no previous offer.----- (125)

I heard some of Coffey's testimony in the first Lord trial; I think I was in the courtroom the day he testified, but I cannot recollect which case it was at the present time. I did not change my testimony; by what came into my recollection I had no talk with anyone in relation to changing from the Glass to the Lord testimony.----- (126)

Q. If you had read your testimony in the Glass case, do you think you would testify as you have here? A. No, I testified in the case before-- I was sitting around a courtroom kind of becomes confused, like my mind will in hearing testimony and things come back to your mind as soon as questions are asked by counsel.....The questions asked me in the Glass case were plain questions, and I understood them;----- (127)

I gave my answers according to my remembrance, and recollection at that time just as I did here, just as my mind dictated it to me exactly.----- (127)

I might have been a little bit nervous at that time.---- (127)

I do not believe I am testifying to the contrary here of what I did in the Glass case.----- (127)

Q. I said there I did not think Gallagher spoke to me, but afterwards I recollected that he did.----- (127)

Q. Don't you call that (the Glass matter) contrary to your present testimony? A. No. Q. Here you say Gallagher did do that? A. Not to my recollection.----- (127, 8)

Then I said a moment ago that my testimony was not interfered from the Glass case, I meant that my testimony might have been framed in different words, but I am giving it the way my conscience dictated to be now the same as I was in the Glass case.----- (128)

I didn't recall this incident where I met Gallagher at the time I was testifying in the Glass case, but when I recalled it it was very fresh to me.----- (130)

When I said "I have got to try to frame my mind that he did" I meant that it was not in my mind; it was not in my mind at that time.----- (131)

Q. WHEN. Frame it (to frame) is to put things he knows together in a certain way. A. Yes. Q. You understand that to put them together in a certain way is framing them as counsel suggests. You said a moment ago you would frame your mind. Now, what have you done towards framing your mind differently. What new way have you discovered that you didn't have at the time of the Glass case? A. I haven't gone anything. Q. Nothing at



all? A. No sir. Sometimes you know a thing will come back into your mind. Q. And so important a thing as a crime? A. Maybe when you are reading in the newspapers, or something of that kind. Q. Was it reading in the newspapers that did this? A. I would not say it was, no. - - - - - (131,2)

To the best of my recollection I had but those conversations with Gallagher and as to the date, to the best of my recollection it was, the way it appeared to me, on the Saturday previous to the Sunday that the matter came up, that is, if the matter came up on Monday. The reason I state it last way was that we were meeting every day and I may be wrong on that point. It was after the fire, and it was at Henry's Hall, and we were not at Henry's Hall until after the fire. Our meeting place was then in the lower part of the city before the fire. - - - - - (132)

It is the best of my recollection at the present that I had only one conversation with Gallagher up till the time I got the money. - - - - - (132)

I did testify on August 6, 1908, at the preliminary examination of Ruel in the police court, page 15, as follows: "Q. Now, 'how about the trolley, Mr. Nicholson? Who has spoken to you 'about the trolley? A. Mr. Gallagher. Q. What did he say, if anything? A. He just told me that-- Q. (Intg.) When did the conversation occur, before or after the fire? A. I think it was 'before the fire. Q. He spoke to you before the fire. What, if anything did he say before the fire? A. I can't recollect what he said. Q. Give us the best of your recollection? A. When 'you ask me the question 'what did he say in that conversation before the fire I am in doubt-- I can't answer that question. Q. 'If I could refresh your memory on the subject concerning which you 'had a conversation with Mr. Gallagher, would that refresh your recollection if I pointed it out to you? A. If you did that, yes 'it might. Q. Did Gallagher speak to you concerning the advisability of the--to convert the latter Street cable line into a 'trolley line? A. If he did, I do not recollect it. Q. Now, 'when did he speak to you about trolley again? A. I cannot recollect that. Q. Pardon? A. It might have been right around 'the earthquake time. I can't recollect definitely. Q. What did he say if anything? A. I can't say what he said. Q. Give to 'us the best of your recollection? A. I can't do it. Q. You 'can't do it? A. I can't remember what he said, no. Q. You have 'not-- you have absolutely no recollection what he said concerning 'the trolley after the fire? A. No, I have not got no recollection 'He said there would be \$4000 in it. That part I can recollect 'because that is a natural coincidence, and I could not help but 'recollect. MR. LAMUNON. We desire to refresh the witness' 'recollection. Didn't you, in the first conversation, a short time 'after the fire, Gallagher say to you, in substance, 'the railroad 'wants a trolley. There ought to be a great deal of money in it. 'What do you think of it? or words to that effect? A. He might 'have said that, yes. Q. Do you mean to say that in the best of 'your recollection? A. He could have said something like that, 'but he might not have said them words you just said. Q. Give me 'the best of your recollection as to the words Gallagher used? A. The 'best of my recollection is he said there was \$4000 in it. Q. You 'had more than one conversation with Gallagher concerning trolley? A. I cannot positively say that I did. Q. What is the best of 'your recollection? A. My recollection is that I did not. Q. You 'simply had one conversation? A. I never spoke very much to Galla



1. The first thing I noticed when I stepped out of the plane was the cold, crisp air. It felt like a fresh blanket after a long, hot summer. The sun was shining brightly, and the birds were chirping happily. I took a deep breath and felt a sense of peace wash over me. I had finally reached my destination, and I was ready to start my new life.

2. The next thing I noticed was the beautiful view of the city. The buildings were tall and modern, and the streets were wide and clean. I saw many people walking around, and I felt like I was part of a big, happy family. I took a walk through the park, and I saw many beautiful flowers and trees. I felt like I was in a paradise.

3. The third thing I noticed was the delicious food. I went to a restaurant, and I saw many delicious dishes. I ordered a plate of spaghetti, and I ate it with a big smile. I felt like I was in heaven. I took a walk through the city, and I saw many beautiful buildings and streets. I felt like I was in a dream.

4. The fourth thing I noticed was the friendly people. I met many people who were nice and helpful. They showed me around the city, and they helped me with my luggage. I felt like I was in a warm, friendly home. I took a walk through the city, and I saw many beautiful buildings and streets. I felt like I was in a dream.

5. The fifth thing I noticed was the beautiful weather. It was a perfect day, with a clear blue sky and a gentle breeze. I took a walk through the park, and I saw many beautiful flowers and trees. I felt like I was in a paradise.

6. The sixth thing I noticed was the beautiful view of the city. The buildings were tall and modern, and the streets were wide and clean. I saw many people walking around, and I felt like I was part of a big, happy family. I took a walk through the park, and I saw many beautiful flowers and trees. I felt like I was in a paradise.

7. The seventh thing I noticed was the delicious food. I went to a restaurant, and I saw many delicious dishes. I ordered a plate of spaghetti, and I ate it with a big smile. I felt like I was in heaven. I took a walk through the city, and I saw many beautiful buildings and streets. I felt like I was in a dream.

8. The eighth thing I noticed was the friendly people. I met many people who were nice and helpful. They showed me around the city, and they helped me with my luggage. I felt like I was in a warm, friendly home. I took a walk through the city, and I saw many beautiful buildings and streets. I felt like I was in a dream.

9. The ninth thing I noticed was the beautiful weather. It was a perfect day, with a clear blue sky and a gentle breeze. I took a walk through the park, and I saw many beautiful flowers and trees. I felt like I was in a paradise.

10. The tenth thing I noticed was the beautiful view of the city. The buildings were tall and modern, and the streets were wide and clean. I saw many people walking around, and I felt like I was part of a big, happy family. I took a walk through the park, and I saw many beautiful flowers and trees. I felt like I was in a paradise.



"other while I was on the board. I can say that the best of my recollection is that I had had the one conversation with Gallagher." (134,5)

Q. When he asked the question, in that preliminary examination as to whether I had a conversation with Gallagher previous to the fire, I might have misunderstood his question and answered that way. The latter part of my testimony is the same as I am giving now. (136,8)

A. As to that part of that preliminary examination testimony where I said that I can't say what he said, and that I cannot give the best of my recollection, and that I cannot remember what he said, I say that is my testimony that I gave in the police court, and I think that is right, and it is just the same as I am giving now. (136,9)

I did not have any hard time at that preliminary examination recollecting the conversation that we had on the 14000 after it came to my mind; it might be the way the attorney framed the question to me that I didn't quite understand him at the time he put the question. You notice the word "again" in that question "when did he speak to you about trolley again"; he implies where he came to me about it once before. I do not know what he means in that portion of it. (138)

Upon your calling to my attention that part of my testimony where I said I thought it was before the fire and he asked me what he said before the fire, I did not remember any conversation that he had with me before the fire. I think the reason why I stated that the conversation I thought was before the fire was because I guess I thought so, but I do not think so now; I knew it was after the fire, and I think the latter part of that testimony says so, too. (140)

I realize that my recollection is feeble at times; I can make mistakes; I can recollect things at one time that occurred at another time, and I can recollect that at one time that I did not have a conversation with a man and at another time I can recollect that I did. A person might forget at one time that you had a conversation with a person. Sometimes my mind is very poor on dates. I can remember whether a thing occurred before or after such great events as the fire, but maybe in that case I did not. (140,1)

I think in that testimony in the police court I said that that talk was the Saturday before the Monday on which the sentence came up. At one time in that testimony I did not remember, and at another time I did remember when the conversation was I think that perhaps within that testimony I was right. I understand that the subject of this indictment is of offering a bribe; I understood that from hearing Brilley yesterday. The District of Immunity is in my mind while I am testifying. (141,7)

I testified in the A. preliminary examination I set out at page 41 as follows: "Q. What did you say? A. I told him I was in 'favor of the overhead trolley.'" A. as that would be the truth, yes sir. (143,4)

I had been in favor of the overhead trolley for a long time and I conscientiously believed they are overhead trolley should be put in in San Francisco. I had not made any investigation particularly of the matter while I was a supervisor; even before I



was a supervisor I was in favor of the overhead trolley. I had talked to a great many people about it and a great many people had talked to me about it, and I thought going some from what at night that the cable cars were too slow and there ought to be a better system than the cable cars, and I favored the overhead trolley, even before I was supervisor. - - - - - (144,8)

As to your question whether my intention was when I went in on the board to vote for an overhead trolley permit if one was brought up, I say if it was brought up I would have voted for it. I did not have any intention like that when I went on the board, but if it came up before the board, I would certainly have voted for it. Q. Irrespective of money consideration? A. I certainly would, yes. - - - - - (145)

. Now let me ask you if you didn't testify, as follows in this case preliminary examination, and I call your attention to page 27: "Q. Now, wasn't it the effect of it is concerned it is like putting a red hot poker in a man's hand, and saying 'We will withdraw it if it hurts'; the withdrawing does not do any good. A. Well, the simile is very good. Q. Now, Y. Yes, show us you have the red hot poker, and then we will see whether we can handle it with tongs. - - - - - (146-8)

I would have voted for the trolley in any event after I became supervisor without money. - - - - - (147)

Didn't you understand yourself that there was an agreement between yourself and other supervisors, a majority of the board, that in matters like this, franchise matters, unless there was some money paid, they would either be shelved in the committee, or there would be no action taken, or negative action taken? A. No, I did not understand there was anything of that kind in the board. (148,9)

I did testify in the 2. preliminary examination, page 27, as follows: "Q. Now, wasn't there a general understanding, Mr. Nicholas, that unless there was some money paid on these important matters, they would either be shelved in the committee, or there would be no action taken, or negative action taken? A. That is the way I felt about it (and further answer) I believe there was some thing as that effect. Q. And wasn't it generally understood that Mr. Callender was to handle the whole thing? A. Mr. Callender always did handle it. Q. A answer that question goes out, -- "A. Yes sir. Q. What? A. Yes sir." But there was an understanding, there was an impression in the board, that is what I meant by my answer a minute ago. - - - - - (149,151)

. When you say "An understanding", you mean that the board of supervisors understood that on any franchise that would go through there was something to come through on it? A. I am sure we are understanding of that kind, but there was an impression like that among the members of the board. .... Then I used that language just quoted to me, I meant that was the impression of the board. I did catch the words "general understanding" in that question, but it was not brought out as deliberately as you are forcing it out. - - - - - (151,2)

I could not say that I favored the trolley from investigation I favored it as a better proposition than what we had at that time. I did go to Hill Lane and other places and observe the trolley system there, and I was well impressed with them, and I did want to see that system that was in vogue in Baltimore adapted here, and I







certainly would have voted for the trolley in any event. (182)

Q. What do you mean by this answer here, that it would be shelled, or beaten, or die in committee unless you got more money? A. I mean when I say in that matter if this board of supervisors was left to themselves, if they were left to the dictation of their own consciences I would have voted for it. Q. Who dictated for them? A. Well, the thing was all framed up. It never framed it up. Q. Who kept you from following your conscience? A. Nothing no more than the money that was in it..... It might have been the money that was in it. My conscience dictated me to vote for the trolley. It was all framed up so I could not follow my conscience. The other. Q. Did you have in mind in that answer Mr. Nicholas, anything in reference to the trolley matter? A. I had in mind the general question that was put to me when he said it was understood that all the matters were to be pigeon holed unless there was something coming through on them; that is what I have in mind. Q. You referred to matters generally? A. In general, yes sir. (183,4)

I believe now that I will not be prosecuted for any offence which I have committed while a member of the board. If I testify as what the prosecution believes is the truth - - - - - (184)

When I use the word "impression" I mean I might be a little doubtful about it. - - - - - (184)

When I use the word "impression" instead of saying "I remember", I do not mean that I am a little doubtful about it, I mean that is what is in my mind at the present time. Q. Well, now, not positive and absolute. Possibly there is some doubt about it; isn't that true? A. It might be. - - - - - (184,5)

The word "impression" is not a little less strong than the word "memory" or "recollection". I use it for that purpose, as - as no matter; just as if you say you think so. - - - - - (185)

When I have testified here about this matter, I have been giving it just as it came into my mind at the time, and I am a rule do not deliberate any when a question is asked me. I believe I give an off-hand impression at the moment. Q. And that is what you mean when you say "My impression is that was so", your off-hand impression at the moment? A. Just as it occurred to my mind. - - - - - (186)

I did testify in the third Ford trial (185) as follows: "Q. Are you positive on the proposition that he did mention \$4000 in that first conversation, or is that merely an impression on your part?" A. The impression I got is that he did mention the \$4000. "The conversation was very short, and that being impression I have that is in my mind, that he mentioned \$4000. Q. You have an impression that he mentioned \$4000 in that conversation?" A. Yes "sir." It is answer to your question if that is what I am testifying now, that it is my impression, my off-hand impression at the moment, I say so, I am pretty sure of that. - - - - - (186,7)

Q. Then why were you not sure of it in the Glass case? A. Well, it might have come back to me in talking around the courtroom and hearing testimony. Q. Or from conversation? A. Or any other; I couldn't tell you the reason why. Q. It might have come back to you from hearing other people state that? A. It might;



sometimes you hear things said so often that you might think you said them yourself.....but it is not the fact that that is the way I am testifying now, that I heard Gallagher and other people saying that so often that I am testifying to it myself now and may believe so. - - - - - (147)

Q. What did you mean by saying a moment ago that sometimes you might hear people saying things so often that you got to believe it yourself? A. Oh, I don't know; a person might get that way; I don't know how to explain it. Q. Then you got that way? A. Yes sir. - - - - - (147,8)

I don't recollect that Gallagher ever said to me that the over-head trolley was coming through and that the railroad wants a trolley, or anything of that kind, and there ought to be a great deal of money in it. He might have used words of that kind; he might have said to me "There is quite a number of matters coming up and there will be quite a bit of money in it", or something to that effect. - - - - - (148,9)

I believe that is true where I spoke of an impression or understanding concerning Gallagher handling all money matters in the board. - - - - - (149)

I am under indictment at the present time for receiving a bribe in connection with the furniture company of Halpern & Company. I am charged in the indictment with agreeing to accept a bribe. That case is still in court, but is continued from time to time. I have been in court on that indictment a couple of times since this case commenced, and it was continued a day or two ago for four weeks. It has been continued since about two years ago, I guess. (149,50)

When Gallagher first addressed me on the subject of immunity at that meeting of the board, I asked him how about the indictment against me, or are they going to dismiss that too, and I told Gallagher to see Langdon and Honey about my indictment, so to see whether it was going to be wiped out too, and he came back and said it would be all right, that I would not be tried on the indictment against me, and Mr. Langdon also told me. It was a furniture deal. Something about desks and one thing and another. It had nothing to do with public service corporations, nothing to do with telephone, gas, or railroad, or anything like that. It is just a plain little matter of somebody selling furniture to the city, and the indictment charges the amount that I received from furniture matter \$26.16. I was indicted in November, 1906, very shortly after the Grand Jury met and I think it was in April that I got immunity. I could not answer why that has not been dismissed, and I could not answer if it is being held over my head. I have been expecting that it will be dismissed, and it is my understanding that it will be dismissed eventually. I have understood that I was not going to be tried, and was going to be allowed to go free on that indictment since the immunity contract, which was in the month of April, 1907. I have been appearing in court from time to time on this indictment that I understand I will never be prosecuted on. I did not go near the district attorney and ask him why he was making me come back and forth when he was not going to prosecute me. My immunity covered the false affidavit, and that was specifically brought up. I understand there was a written contract about that immunity, and that Gallagher has got it, and that he had it all the time there was one, so I understand in the first there was one-- I don't know who had it; I think Heston had it, the first one, - - - - -







that is theorene I refer to now. As to your question whether there has been two, I say there was one made out the night the board resigned. - - - - - (160-63)

Gallagher told us we were to hold our offices after we made our confessions until the end of our term. - - - - - (164)

And were you to vote according to your conscience then, or is somebody else told you, if you remained in office as a supervisor? A. I believe we were to vote as we were told. MR. HENRY: Now I move to strike that out, and I object to him stating what he supposes. THE COURT. What are the grounds of the objection? MR. HENRY. According to that class of testimony, the prosecution might be made out greater criminals than these people. THE COURT. Let the answer be stricken out. MR. HENRY. We are perfectly willing to go into everything that was said and done. MR. THE HON. J. Was it not said to you by Mr. Gallagher that you were to remain in office and vote as you were told? A. Yes sir. Q. And you voted as you were told. Whatever Gallagher told you to do after that you pretty near done it. MR. HENRY. Did that situation keep up, Gallagher telling you what to do? A. Until we left the office.....I think that was from April till July, and I drew my salary in the meantime. Q. For voting as you were told, is that your idea? A. I guess we pretty near always voted as we were told to do by Gallagher anyhow. Q. And Gallagher got his orders where? A. I don't know; I could not say positively. Q. You sat there as a supervisor then, from April until July, voting as you were told after having made your confession, did you? A. That is, not on every question; there was lots of questions come up; in fact there was no questions come up-- I think we used our judgment on questions that come up.....Q. In some you were allowed to do as you pleased? A. I think pretty near every question that come up, there was only one question that come up that I have any recollection of, that was the dismissal of George Keene; that was the only question that I recollect.....I could not say that we always looked around to see where the inspiration was coming from. There was only one question that ever came up that Gallagher gave us any instructions on that I recollect, and that was the dismissal of Keene. - - - - - (164-6)

I cannot say that Gallagher told me that Spreckels had told him that he would advise the board how to vote, I don't think he did. He might have said the first day before we went up to the Cladstone to make our confessions, that Spreckels wanted us to stay there and redeem ourselves, but I cannot say positively.----- (166,7)

Langdon and Evans were at the Cladstone and I saw Burns and Spreckels there, and I think Henry. The room looked something like an office, but this was not the district attorney's office at the Cladstone. Only Langdon and Evans were in the room where I was making my statement. - - - - - (167,8)

Now I spoke to Spreckels at the Native Sons Building was that the grand jury was meeting there and he was standing talking to Gallagher, and I got in there with him; I was subpoenaed before the grand jury; and the reason I went to Spreckels there was I wanted to see how he felt about the matter-- the reason I went to see how Spreckels felt about the matter was that I thought he had the handling of it. I did not understand that Spreckels was any public officer, but I understood he had the handling of this immunity contract to a certain extent, that he was the one that was doing the business with Gallagher, and I understood that Gallagher was let-



ting insuimty for me from Spreckels, so I went up to Spreckels and asked what his opinion of the matter was. - - - - - (168,9)

I testified as follows at the preliminary examination in the police court, commencing at page 11: "Q. What did you say? "A. I told him I was in favor of the overhead trolley. Q. You agreed to take the money? A. I don't know; I told him I was in favor of the overhead trolley. Q. You at that time consented to accept the money when it was given to you--you acquiesced in his proposition? A. When he gave it to me I took it. Q. When he gave it to you you didn't expect or the offer did you? A. If he made an offer, I don't say that he made a direct offer." (170)

I was in favor of the overhead trolley as a public necessity after the fire. I believed all the time it was a public necessity. There was some talk by people to me after the fire about the necessity of the rebuilding of street car transportation. I have discussed it with people, and I do not know whether I got that opinion from talk or from the papers. A good many people I consulted with thought it a public necessity. - - - - - (171-2)

Then I testified here that while I did not have any intention like that when I went on the board but still if it came up before the board, still I would have voted for it irrespective of money considerations, I mean that that was my state of mind after the fire. - - - - - (172)

I got no money on Ocean there, and the reason I voted for it without money was that the mayor requested it; it might have been an administration measure. I voted for it without financial consideration, or without promise or offer of any kind. - - - - - (173,4)

The first money I got after I went on the board was \$475. from Gallagher in the prizefight matter; it was originally intended to be \$500, but Gallagher held out \$25 and said that was for handling the matter. A sort of commission. I am not certain but I believe I did understand before the matter was passed that I was to receive \$500; Gallagher might have promised it to me, but I am not dead positive on the matter. - - - - - (174)

The next money I got I think was \$500 on the Pacific States Telephone matter from Halsey, and that was to vote against the Home Telephone Company; I don't know positively whether it was to vote or not; it was to do what Halsey requested; that was a portion of it was to vote against the Home Company and lose after their interests in the board. After that I was paid \$300 to vote for the Home, my impression is it was after that; Gallagher told me to vote for the Home, but I don't know whether he did that before I got the money from Halsey or after. I believe it is the fact that after I made up my mind that I would vote for the Home, and after I had this talk with Gallagher, in which he told me there would be \$300 in it if I voted for the Home, that I went over to the Mills Building, and took \$5000 from Halsey to vote their way. (174)

I got money in the gas business; must have been in the month of February, I believe; I think it was \$500, maybe \$700; I believe it was the latter. - - - - - (175)

I did not get any money in Parkside, but I voted for the franchise. I was offered some money on it before I voted, I believe that was before I voted; but I did not get any money on it. If I voted for it without money and the reason why is that I would







have voted for that anyhow without any money, just as I did the Ocean Shore, because I regarded them as good for the City; and one of the promoters of the Ocean Shore was a particular friend of mine who had done me a turn. - - - - - (175,6)

I don't think Gallagher told me at the caucus on immunity that Spreckels wanted to get the United Railroads or Calhoun or wanted to land them, or to get after them, I have no recollection that he did. - - - - - (176,7)

Gallagher told me he met Spreckels in the Presidio and he told us that the job was up, that they had trapped Hoxton and Loneragan and a couple of others, and that the prosecution wanted us as witnesses, and if we would go up and testify to the truth that he would get us immunity. There was considerable discussion. I don't think he mentioned anybody that he wanted us to be witnesses against, any more than to tell the truth to the prosecution. (177,8)

I am a carpenter and a member of the Carpenters' Union; was president for eighteen terms up to about three terms ago; was president at the time of our strike; was in the chair at the meetings of the Carpenters' Union usually. I was present at the meeting and presided at the meeting when that union contributed somewhere in the neighborhood of \$80,000 to the campaign against the United Railroads on behalf of the strikers; that was to support the men out on strike. I don't know what I did any more at the meetings on that subject than preside. I did not talk out on the streets against the U.R. at that time, nor take any steps or agitate at all. I did not oppose the \$80,000 contribution, and I did, to a certain extent, favor it. - - - - - (178,9)

The denominations which I got in the first trolley payment, to the best of my recollections at the present time I should think, were 2's and 10's, and I think there was a ten broke up into a five and two and three ones; my recollection upon the subject is not extra good. - - - - - (180)

I did testify at the Ford trial, page 500, as follows: "It was in five and ten dollar bills; I have an impression there was \$5. worth of ones in it, but I am not positive; I do not remember any tens." But the impression I have now is that there was a ten in it, but I am not positive of that right now. As to where I got that impression, it just came to me like anything else. --- (180-2)

The impression I have at the present time about the denominations of the second trolley payment, is that they were 20 and \$100 bills. I know my testimony conflicts there somewhat, because it came up in the other trials, but the impression I have is there was some fifties. You called my attention to the fact last time that I testified previously they were all \$100 bills, but the impression I am laboring under now is that I might have been mistaken, and my belief now is that there were 20 and \$100 bills in it. (182,3)

I did testify at the first Ford trial at pages 501 and 2 as follows: "The denomination was \$100 bills."----- (183)

I testified as follows at the second Ford trial: "\$100 bills." I have the impression now that it was fifties and hundreds; and I believe it was in my mind all the time, and the reason why I did not say so is that I did not have omitted it; I didn't know it was wrong.



about it? In answer to your question whether it is not true that all I know about it is that they were large bills, I say I don't think there was any denomination besides fifties and one hundreds; I knew they were large bills, yes. - - - - - (124,8)

I testified at the third Ford trial at page 427 as follows: "Q. Today you have testified that there may have been half fifties and half one hundred dollar bills in what you call the second payment, have you not? A. Yes sir. Q. There, there is no second payment, were not you asked this question, and did you not make this answer "That sort of bills? A. I believe it was in "one hundred dollar bills." A. Yes, I made the answer. "Q. As a matter of fact, Mr. Nicholas, at this stage you are unable to state exactly what those denominations were, isn't that about the fact of it? A. I know they were large bills, that is all. The impression strikes me that there were some 50 bills in it. Q. Yes? A. And I could be wrong in that. That is about all I can say concerning it, that they were large bills and the impression strikes me that they were some 50 bills, although I had not previously mentioned fifties. - - - - - (128)

I took that money to the safe deposit box of the Western National Bank right after I got it, and afterwards I would make of it paying off some bills; I paid out some lucky bills to Ellen Mahoney, but I cannot recollect the amount, but it might have been 4 or 500. I got 1475 in the prizefight, 1915. In the year 1916 altogether in the telephone, and 24000 in the trolley, which makes in all 25,725. Now, besides paying 1400 of that to Mahoney, and in answer to your question what I did with that money, I say I spent a lot of it around; I bought a cigar stand, but I don't think I used that separate money for that, but I used some of the currency for that. I think I paid 8 or 1000 for the stand, but I don't remember the party. That was after the fire. And I kept the stand about six months, and closed it up and sold it; I paid other bills in lumber and stuff of that kind. I have got a few dollars left, maybe a thousand dollars. I paid little 1000. I paid the Empire Bill some of it, but I don't remember the amount. I was in the contracting business all that time, and in some cases I was making money and sometimes not very much; I don't think I made any money, but I seemed to make my living, so I must have been running behind. I have never balanced my account. The majority of the money is gone anyhow. I spent it like anybody else. I do not spend my money in high living. I live plainly as a man in my station. I never changed any of the money, but I spent directly the identical money I got, a good deal of it. I have loaned some of it, and then when it was given back it came back in 1916; I loaned a friend 250; I have got a loan of 25000 standing out. As to your question whether I loaned this identical money, I say I used it in building purposes, and then took a mortgage on the property. A person will spend money around in the world; I paid some for street car fare and things of that kind; in other words, it has, just as it were, disappeared as money will. - - - - - (128-29)

We held lucky eight caucuses, meeting there, and when the thing was framed up by Gallagher and H. or Wilson, as a rule, they used to go off in the corner and the thing would be framed up and hence would say the matters would come up and then would, and if you had anything to fetch up yourself, you were supposed to fetch it up in the caucus. These caucuses were held so often and so often. I believe it was Washington Hall. - - - - - (131)

I am not positive whether or not it was any of these caucuses the trolley matter was brought up. It might have been brought up







in cases shortly after the fire; I have got a recollection, a kind of a faded recollection, it was brought up in Wilson's place on Golden Gate Avenue, but I am not positive about that; we did meet there in the afternoons, but not on Sundays. I am answering with reference to the time after the fire. I could not recollect right off-hand any Sunday night caucuses at which the matter was brought up, but it might have been that at some Sunday night caucus held very shortly after the fire, the trolley matter was brought up and I might have then expressed myself in favor of it, and I could not be positive that that was some two or three weeks before the ordinance came up. I have got one recollection it seems to strike me at the present time that Mr. Hoona made the remark to me were adjourning one night, that the matter of the trolley would come up, and it seems to me that was on Sunday night, and at Gray and Steiner. I could not say how long we were meeting at Gray and Steiner before the trolley matter came up; for the first week or two we met in Wilson's place on Golden Gate Avenue and then we moved out to this place on Steiner and Gray, and the trolley matter might have come up at a caucus there, but I might not have given it enough attention to remember it, or it might have slipped my mind. I have a kind of a faint impression to that effect. I would not say that the trolley matter was not discussed there.

(191-4)

I did make a statement at the Gladstone and it was taken down and I believe I signed it. - - - - - (194)

I might have an impression that I heard from some person that there was going to be a different or other sum of money than \$4000 in the trolley matter; I cannot remember what I heard about it; I have an impression that I did hear there was going to be more in it, and I think there was a general rumor, but I cannot say how much I heard the amount was from the general rumor. I do not recollect at the present time that Gallagher ever said \$2000 in it; there was a rumor to that effect, but I am not clear on it. (194,5)

It must have been about in the month of June, I think, or July, that I got my first payment on the trolley. I never kept any account of when I got it, but I have no better recollection on it than to say it was somewhere in July. My impression is it was from six weeks to two months after the ordinance was passed. I think it was a couple of months after the first payment till the second payment, but I have no other recollection of that. The second payment was paid to me in Lowry's Hall as I recollect. But my recollection is not good enough to swear to that positively, as I might be mistaken. The impression I got now is that both payments were in Lowry Hall. I am very positive that one was in Lowry Hall, and I am almost equally positive that both were, but I could be mistaken. I am certain that one was, because I can remember the incident when it was given to me. - - - - - (195-7)

Q. Is your recollection of the place or words of the conversation that you say you had with Gallagher any better than your recollection is as to the place where the payments were made?  
A. I can't think my recollection, very good on it anyway, that it is extremely good. - - - - - (195)

#### RE-EXAMINATION.

My Gladstone statement was made I think in April, or maybe March; I just judge that from the weather, because I think it was colder that day. It was in 1907, and was before I went to the grand jury.



I think I went to the grand jury on Monday, and I think at the Gladstone in the Saturday before. When I made my Gladstone statement, Mr. Coons and Langdon and the stenographer were present. Gallagher told me that there was an attorney at the time, but I was not sure of that, but he said Norton's attorney would be up there. The stenographer was Lisa Condon. I was questioned at the Gladstone about a great number of matters; about pilefight, about telephone, about gas, and about the trolley matter. Langdon questioned me. I did not have any talk with anyone before I went to the Gladstone about the testimony direct, but that we were to go up there and tell the desolate truth, and that Henry and Langdon would be there; Gallagher told me that. Q. Did he mention in that matter you were to tell the truth? A. I don't think he did. To the best of my recollection he did not. Gallagher never talked to us about any of the testimony we were to give at the Gladstone, and he once told me what I should testify at the Gladstone to in relation to the trolley or any other matter, nor what the others were going to testify to, nor I did not hear any other supervisor testimony at the Gladstone. Q. When you testified at the Gladstone apartments, did you know what the other supervisors had testified to, if they testified to anything? A. No, I might have known from the paper or something; I don't recall whether I do or not.....I did not know what any other supervisor testified to or was going to testify to when they went up to the Gladstone. - - - - - (XG-10)

I remember being examined before the grand jury. No other supervisor was in there at the time, and as to your question whether I knew when I testified before the grand jury what the other supervisors or any of them had testified to before the grand jury, I say I could only surmise that they testified to. Q. Has anyone told you what the supervisors had testified to before the Grand Jury at the time you made your statement before the Grand Jury? A. None of them have ever told me what happened in there, that is, some portion of it.....I am not clear on it. He once suggested to me that I should testify before the grand jury. Before I testified in the grand jury room no one had told me what any other supervisor had testified to before the grand jury in relation to the trolley matter. Henry questioned me before the grand jury. I am of the opinion I was questioned by him about the telephone matter there; I was questioned there concerning the gas matter, telephone matter, trolley matter, and the pilefight matter. (XG-10)

I paid a fee of \$300 to Frank Murphy quite a while ago, but I cannot recollect when, but I think it was before I went up to the Gladstone stenotype before; I paid little \$1040 before I went to the Gladstone. I have no way to figure out what my cost of living has been in the years 1905, 1907 and 1908. I was not a married man, but I stayed with my mother until she died, four months ago, and I was supporting her during those three years, and until she died, and I could not tell what it cost me per month to support her and so. She always ran the house, and was also a conch, and then my sister took it up and ran it. I had considerable expense on account of my mother's sickness, and some of those bills were paid out of these moneys. My cost of living may have been a hundred dollars a month, or it may have been a hundred and fifty dollars for the last six months, but during the year 1906 my cost of living was less than it is now, and less than I have earned. I do not think that 100 or 150 a month would cover all expenses for myself and mother. I spent money with my friends and acquaintances; I spent \$5 a day at least, ever since I was in the house; to some extent I fell into expensive ways of living while I was a supervisor.







I was very often touched. I have paid out considerable in that way in the last three years, but I haven't got any account of it. (214-16)

My "large bills", I mean \$50 and \$100 bills. - - - - - (216)

What I did to assist the cause of the strikers I did not do at anybody's request but my own, and because I was a member of the organization. I have been a member of that organization for 20 years here I think. I never took any great stand in the strike one way or another. I could not say that I was greatly in favor of it at any time. I did nothing in the way of helping strikers any more than by my assessments. I did not go around organizing sentiment in favor of the strikers. No one connected with the draft prosecution ever asked me to take any particular stand in the street car strike. - - - - - (216,17)

I am not very positive at all as to whether Gallagher told me I would get \$2500 in the home before I got the \$5000 from Halsey. But I have an impression to that effect. - - - - - (217)

I received the \$5000 from Halsey in the Mill Building, but I could not say what month, but it was a short time before the ordinance came up in the board. Halsey sent for me; I was out of town, and when I came back Swillock met me at the depot and told me Halsey wanted to see me. I have a slight impression that before I went out of town that time I had been told that I would get \$3500 in the home matter. I think I reported to R. that I had received \$5000 from Halsey, I knew I did and I did that before the matter had come up in the board. I think it was right after the earthquake I got that \$3500 in the home. Q. Well, don't you know that the home telephone matter came upon the month of February, 1906, in the board? A. I believe it did, yes sir.....and I say yes sir in answer to your question that it was more than a month afterwards that I got the \$3500 from Gallagher in the home matter.

I know that all of the members did not receive the same amount in the home, but I could not say that I know anything about the arrangement; some of the members got more than \$5000. I know that both of those telephone offers were made to me before the earthquake, but that is about as close as I can get to it. I believe it is right to say that the \$5000 offer was based upon the fact that I had already received \$2500 from the Pacific States. - - - (218-21)

I recollect the day I signed that affidavit but I could not give the time; if the date on it is October 29, 1906, that must be the day I swore to it before the notary. I cannot really say I was told by anybody that there was an affidavit to be signed, but I met the whole board going across the street and they told me to come on and that there was something doing there. So I went to the notary's office across the street from Henry's Hall, and I think all of the board was there and went up with me and the notary was ~~all of the board was there and went up with me and the notary was~~ there, and I think because I think it was the notary who read the affidavit on that occasion. I did not learn that there was an affidavit to be signed until I got into the notary's office that afternoon, unless it was crossing the street. A very member of the board of supervisors, I think, signed the affidavit while I was there. I believe at least ten of them did. As to whether any reason was given to me for signing that affidavit, I say I cannot recall any more than I think it was Wilson said that it came down from R., and that it was a good thing. I understood that all the supervisors were to sign affidavits similar to mine, but I don't



know what was to be done with them. I did know the nature of an injunction suit brought by Langdon against H. and the board. As to your question whether I recollect that reference is made in that affidavit to the complaint, I say I do now when you call it to my attention, and I recollect that part of the affidavit containing those denials which you call to my attention. I was not very familiar with the complaint. I did not know of any other suit at that time. - - - - - (228-4)

I am not sure that I was served with a copy of the complaint at the time I signed this affidavit. - - - - - (228,9)

I am not positive that I had seen a copy of the complaint, and I have nothing to refresh my mind on it. I don't think I had read the complaint. That is my best impression, prior to the time I signed the affidavit. I have a kind of a faint recollection that a copy of the complaint was served on me by Schane, but I could not say whether it was served on me before or after I made the affidavit. If I would not be mistaken, it might be that on the same day that I made the affidavit, there had been a meeting of the board already, at which Gallagher announced he had suspended Langdon. I remember the night Langdon was suspended, the board was supposed to meet at 2 o'clock, and we waited there until 9. It appears to me that at about the same time I made the affidavit that I heard there was a large crowd up at the Temple Israel, but I could not say which came first. I was not up there myself. In answer to your question whether I recollect that on the night Gallagher gave notice to the supervisors that he had suspended Langdon, that Huef undertook to remove Henny, and that immediately the next day this injunction suit was brought against H. and the supervisors, I say yes sir, it might have been that we signed the affidavit the afternoon of the day the suit was brought. I think I was served with a copy of the complaint in the injunction suit on the day the suit was brought. I am laboring under the impression it was about the time the supervisors met, about 2 or 3 o'clock, but I am testifying, Mr. C'cars, to things that I am only impressed with, and I might not be so positive on this matter. I don't think I read the complaint, if I did I did not read it all. If I heard it read, I might be able to decide whether I read it or not. At the time I signed the affidavit I don't think that I understood what the nature of the complaint was to which the affidavit referred. I really did not know what I was going up there for until the affidavit was read, and then I did not pay a great deal of attention to it, but the notary read it and then some few of the board came in later and it was re-read by Mr. Keane or the notary. I think I understood at the time that I went to the notary's that Langdon had brought an injunction suit to restrain H. and the board from taking possession of the office. - - - - - (229-24)

At the time I signed that affidavit, my understanding as to what this injunction complaint was about was that I understood the injunction was to stop H. from ousting Langdon. At the time I signed that affidavit, I did have fear that the district attorney Langdon was about to start an investigation as to the conduct of the board in all matters that the press had been harping on. That was the general rumor, the telephone, the trolley and parkside and gas. That affidavit came down from H.'s office and it was customary to do anything H. wanted as to, and that is how I came to do it, and I understood that H. was representing me and the members as legal adviser. I thought he was doing it to protect himself, and to protect us to a certain extent. I could not say what my







state of mind was at the time I signed the affidavit, but that was my thought previous to and since taken from the time I heard about the injunction suit, I had the belief that X. was taking measures to protect himself. I did not know that X. was going to take the office until the night he was appointed by the board. - - (140-0)

I did learn that X. was appointed to Langdon's instead of Langdon and I had the impression that happened the same day I signed the affidavit but I can't be clear which happened first. On the night Langdon announced to the board that he had removed Langdon he also said he had appointed X., and it was on the following day I was served with notice that Langdon brought suit to stop X. from taking his place. My impression is that I made the affidavit on the day following the day that I heard Langdon had been removed and X. appointed. And then I signed the affidavit a month or two later. X. was a lawyer and that was more way he had to get around and beat the investigation. I thought that X. thought that by so doing that with, if we ever changed it, X. would have it on us. That is, would cripple us against ever being a witness against him, and that we would be confronted with a statement we made under oath. (140-5)

I am not positive that the Glass trial was the first time I came into the open court and gave testimony in relation to these deals; I don't know which was the first trial I testified in. It appears to me that it was but I would not like to be wrong on it. I testified in the two Glass trials and in three trials of Ford, but I could not fix the dates. Q. Yes, recollect, don't you, that Mr. Williams cross-examined you in the Glass trial? A. I remember him as the attorney in that case, yes, sir, and I recollect that he was cross-examined me in that trial before Mr. McDermott examined me in the Ford case. I recollect all the time that the Glass trial was before the Ford trial. I cannot recall the date or month of the Ford trial. I was not in the Ford trial. I recollect that the Glass trial occurred in the Temple. ---- (141-0)

[The following dates were stipulated: The trial of Louis Glass in case No. 676 opened on July 17th, 1907 and ended July 20th, 1907; the trial of Glass in case No. 675 opened August 11th, 1907 and ended Aug. 24th, 1907; the trial of Ford in case No. 317 opened on September 18th, 1907 and closed on Oct. 22nd, 1907; the case of Ford No. 823 began on Oct. 17th, 1907 and closed on Dec. 3d, 1907; the trial of Ford in case No. 812 opened on April 9th, 1908 and ended May 24, 1908; the trial of Ford in case No. 1437 opened on Aug. 27th, 1908 and closed on Dec. 20th, 1908; and that the Parkside site was on trial at the same time the first trial was on. - - - - - (143, 7)

In answer to your question whether I was voluntarily interviewed on the occasion of my appearance for the first time in a public trial in one of these cases I was yes, sir. - - - - - (144)

The cameras began right after we took office and continued almost up to the time we went to the Gladstone, I believe right up to that time. Prior to the five they were in the Mayor's office and were attended by the full board now for a long time; the Mayor attended some of them but not a great many of them. There was a good deal of whispering going on in the cameras that I did



not know anything about, but you were supposed to bring up your things there. I used to be present at every caucus and discuss the matter with us and if a person brought up something and it did not seem to suit him we would change it for yes. We might have at different times discussed different matters in the caucus. No reports of the caucuses were given out but the press mentioned them. - - - - - (1240,9)

The caucuses were to consider matters to come up the following Monday; result of agreement; I think E. immigrated then. - - - - - (251)

By administration I mean Irish labor party; all elected on that ticket 1902; I think E. stayed for that ticket, I had to see him about my immigration, that is a committee of which he and I and Joseph and Josephine and J. J. McCarthy were members. I called on E. several times after I was elected. - - - - - (251-3)

I think he had one caucus before election, the night before we took office; about that time learned committee which was at the E. filed open, I think. I think Keene was elected at one of the caucuses; I knew him very slightly, he was secretary of lawyer. - - - - - (251-1/2-4)

In open talk at party in chamber. - - - - - (254)

I do not believe when I received my immigration that there was to be any coming up.

I do not very often go to when I first learned about money in the crime fight; I would not be positive whether it was before it came up, but that is my opinion, and from Gallagher, but I can not get into my mind what he said about it; I believe that prize fight money was the first time any one had with me about money in the matter that was to come before the board. I believe that was after I took office, about two or three weeks. (255,6)

But regard to the testimony given by me in the police court when I was questioned about my knowledge about important matters being solved and we were asked what we were doing, and what Gallagher handling the whole thing, these were impressions I got from the way matters were going in the board and I could have got the impression right after the crime fight matter came up, but I cannot answer what fact or circumstances I got and impression from, but I must have got it from the crime fight because action; it was from the general work of the board; every time through is the crime fight and I supposed if any other transaction would come up that I felt there was something going in it. I did not understand that anyone had held up my evidence before the arrangement was made and there was no going about the passage of the crime fight evidence and we did not discuss holding it up until some weeks ago said, I did not refuse to that matter to come and I did not. I told me individuals connected with it that I would vote for it and I believe I





would have even if there was no money in it. If there was any arrangement made for money in the prize fight matter I am of the opinion that M. made it. - - - - - (126-31)

In answer to your question, what I meant by saying that Gallagher handled the money matters in the house I say it would have been Gallagher that spoke to me about that. M. never spoke to me personally and he never gave me any money personally. I understood that Gallagher was selling War B. in matters of this kind but I never suggested to Gallagher that matters ought to be held up until money was paid. - - - - - (101,2)

Q. Well, did you or any other supervisor to your knowledge ever tell Mr. Gallagher to hold up matters or that you were to hold up matters until money was paid? A. I never noted any--well in the 1935-- the second time the gas came up I might have noted that; I believe there was a suggestion of that kind that we should not pass that bill until something came through on it... There was nothing of that kind in relation to the particular matter to my knowledge and the gas matter was the only thing in which that happened to my knowledge. That was said in relation to the raising money upon the gas matter was that some of them wanted to make it 35 cents if they did not come through; Lonergan was very set on that. There was several but I can't mention too all, but I think Dorton was positive on that. Those statements about gas were made in that caucus held before the bill came up. I think the gas matter first came before the board of which I was a member in February. That is the fixing of rates; I had run on the union labor ticket and we were pledged to a 75 cent rate. Officers of the company appeared before the board in February 1936 on the rate and asked for a dollar rate, and the board fixed the rates finally at 35 cents. At the start-off I was for 75 cents but I could not tell you what my reason was for being in favor of 75 cent rate, but I guess it was public sentiment. The reason I voted for the 35 cent rate was that Gallagher told me. I could not say if he had more than one caucus on gas, if it ever came up in caucus. I was present because I think he was present at all caucuses, but I cannot remember if he spoke on the subject in caucus, but gas might not have been discussed in caucus. Q. At any of those caucuses at which the subject of the gas rate came up did any of the members of the board get up and claim they ought to be paid money before they voted for the gas rates? A. You are getting now at the first caucus on the gas rates, are you? Q. Of the gas rates. A. Well, the second time that it came up there was a suggestion of that kind..... I remember that last day, Lonergan was very dissatisfied on account of there not being anything in it; Gallagher told him there would not be anything in it and he was very dissatisfied and I think several others were. Then I spoke at the second gas rates I mean the following year when it came before the Committee of the whole to establish gas and water rates, that was 1937, and that was the time that Lonergan and the others expressed dissatisfaction because there was no money coming through and that is what I meant by the "cash" time, and at that time there was no money in the gas rates, and it was because there was no money and Lonergan and others were dissatisfied. The gas rates were not once before so twice as a supervisor, the first time in 1936 and the second time in 1937, that is the way I recollect it. You asked me a question that was general and that was why I answered you as to 1937. I received no money on gas in 1937. In 1936, the first



time the gas rates came up I did not hear any talk by any supervisor to the effect that there would be money coming through before the rates were voted upon. I don't remember; and neither Longman nor any other member that I know of threatened to vote for a 55 cent gas rate in 1906, unless they were paid money. (262-4)

I received money from Gallagher in the gas rate matter and I believe it was after I voted on the gas rates in 1906. (263)

I am under the impression that I received word that there would be money paid on the fixing of the rates at 85 cents before I received the money; to the best of my recollection I received the money on the gas after I voted for it; it was in the year 1906, that I personally favored the 85 cent rate and it was in that year that I believe the public sentiment favored the 75 cent rate; of course the company came before the board and put up a pretty fair argument showing where they could not sell gas for 75 cents, that is, before the Committee of the whole; that was in 1906 and 1907. - - - - - (263,5)

To the best of my recollection it was in the month of February that the gas rates were fixed in 1907 and I think that at that time H. and Schmitt were under indictment. I am not clear on the fact whether the gas rates were fixed somewhere about two weeks or a month before we made our confession at the Eldstone. G. Bell, was it before or after you made your confession in the Eldstone (the fixing of the gas rates in 1907)? A. I would not be positive on that either.....I can not fix the period between the two transactions. - - - - - (269)

Following the gas rates Gallagher paid me money on the Home Telephone matter; I had not made any demand for that Home Telephone money before I voted or for any money before I voted in favor of the Home, nor had I heard any other supervisor do so. I did not make a demand upon Gallagher for the \$5,000 which he gave me nor did I make any threat that I would not vote for the Pacific States against the Home unless I was paid \$5,000. (269,70)

I do not recollect in any matter in the year 1906, hearing any supervisor tell Gallagher that he would not vote for any particular matter unless money was forthcoming. (270)

In answer to your question what I meant when I said that it was generally understood that Gallagher was to handle the whole thing, is that some member might ask me whether Gallagher had come through; and Gallagher would be up and I got the impression he was speaking to the others because I would see him do so, call them over to one side and whisper; in other words, it was my idea that Gallagher was the one who went among the supervisors. - - - - - (271)

After the rate H. was appointed district attorney and Longman suspended, Gallagher did not come to me with any statement that there would be money in any matter, to my recollection. - - - - - (271)





I heard Coffey testify in the first Ford trial, I think it was after that or the Glass trial.- - - - - (272)

Before I was called here as a witness I knew that Coffey had been indicted for receiving a bribe in the trolley matter and I knew when I was testifying that Coffey had been convicted but that did not have a particle to do with me or my testimony.- - - - - (287,8)

Heney never told me how to testify.- - - - - (288)

I had a talk with O'Carra at the time the H. trial came up and I had another talk with him before I was called as a witness in the third Ford trial in April, 1907, and he then questioned me about my testimony on the trolley and that was I think before I went on the stand in that third Ford trial but I do not think O'Carra ever discussed my testimony so the trolley matter with me prior to the conversation I had with him before I took the witness stand in the third Ford trial but he did not give me any suggestions and he did not refer to my testimony in the Glass case and neither did Heney. (289,90)

Immunity Contract of date July 30, 1907, introduced and read.) - - - - - (290-4)

Gallagher came into the meeting and explained to the members that he had a talk with Upreckels and he told us that we were to go to the district attorney's office and tell whatever we knew and he was careful to tell the absolute truth, and that we would get immunity, and he explained that it would be done, that some people doubted but that he was an attorney, and as such we took his advice; the matter of the affidavit too came up. Q. In that conversation or in any other conversation before you went to the Gladstone did Gallagher tell you on what you were to testify? A. I don't believe he did, I think he told us to testify to certain questions asked, that we would have to tell this or that, and Gallagher said that whatever answers they asked you, answer them honestly and truthfully.....Gallagher did not sit down with me or with any other supervisors that I knew of and ask what I or he recollected of any matter. He did not tell me what questions would be asked me at the Gladstone. What was said about the evidence was that some member asked him what would be the result of reading that affidavit and then making the confession, how long would compare and I believe Gallagher said that he either had taken them up already or would do so with the district attorney.- I think I asked Gallagher about that affidavit. (293-7)

When Mr. Rogers questioned me the other day about my testimony in the police court and commencing at page-bottom of page 31 of the police court testimony, there was also in the police court record the following testimony which I gave on the same subject and which immediately followed that about which Rogers questioned me: "Q. In other words, you don't think he made a direct offer at all of any money in the trial-



lay matter? A. Nothing any more than he said there was \$4,000 in it." - - - - - (207,5)

I testified in the Thairo road trial at page 480, as follows: "Q. You had no further talk with him (Hallamer) before that time? A. Not to my recollection." - - - - - (189,300)

I think I favored the overhead trolley from the first time I ever saw one, the one on Harrison street; I favored it over the cable car; I never compared the underground electric system with the overhead trolley; I don't think I had in mind when I became a supervisor the question of substituting the overhead trolley system in case of the cable road street. I don't think I gave the question a thought when I took office. I believe municipal ownership of our lines was one provision of the Union Labor platform. As to poor question when it was for the first time that I came to the conclusion that I favored the overhead trolley down Market street over the cable I say I believe at the time of the fire I was in favor of anything to go down Market street; I thought the cable was good beyond redemption at that time; but would not say that before the fire I had formed any intention of voting to substitute the overhead trolley system instead of the cable on Market street; the matter had not been proposed to me in any form. - - - - - (300-2)

I recollect the matter of the Berry street road coming before the board in February, 1900, and I believe sat at that time the board entered into a contract for the relocation of the Berry street road and the introduction of the underground electric system for that road, but I might be mistaken as to the latter fact. I have an impression there was a proposition to run a temporary overhead wire; I voted in favor of that contract whatever it was. - - - - - (301)

Before the fire my mind was in such a condition that I would not have been willing to hear testimony and argument in favor of the underground electric system. - - - - - (313)

I visited Salt Lake and observed the overhead electric system there in September, 1904 or 5, but I had not gone there for that investigation. - - - - - (314)

I had not decided prior to the fire that the overhead was preferable to the underground electric system in this city. - - - - - (315)

I don't remember any discussion before the board as to Market and Larimer street lines before the fire. I always thought the U.M. did not own the Market street road and I don't recollect any controversy before the board over different systems on Market and Larimer streets before the fire. - - - - - (316)

I do not understand that when I took office that I was to be governed to some extent by public sentiment and I don't think that I considered it at all in the matters that came up. - - - - - (317-6)





After the fire I read some of the newspapers, I think the Mail and Examiner and Daily News. I took the Examiner as my home paper after the fire. - - - - - (311)

The car-strike that I referred to was I think some time in July last year, you gentlemen say it commenced on May 1, 1907, so I guess that must be the date. I would not be positive if I had gone before the grand jury and given my testimony before that date. In answer to your question now I say I do recollect I went before the grand jury in March, 1907, but I kind of think it was in April, it was either in those two months. - - - - - (311)

(Assumption. What supervisors testified before grand jury March 10, 1907, as to Sanderson) - - - - - (312)

The incident I referred to in straightening out the testimony given by me in the Glass case was that of going into Henry Hall, waiting in the door and another man coming and calling Gallagher away as he was speaking to me; that was the occasion when he spoke to me about the \$4000. - - - - - (313)

That it was that prevented me from voting as my conscience dictated was that I realized if I stood out alone I would have been alone on the board, and I realized there was money in it and if I did not vote with the crowd I would not get the money that was coming. I believed that R. had control of the board. Then I said I would have voted according to my conscience, except that I was prevented, I did not mean that R. had anything to do with preventing me from voting according to my conscience, and as to your question what persons did, I say I don't suppose anybody did unless they passed out inducements; but if inducements were passed out, then I voted against my conscience. Q. Are those inducements were in the shape of the money paid which you have referred to? A. Yes. I really believe, Mr. O'Carra, that in most matters that came before the board, they would have went through without any monetary consideration at all. (314)

There were a great many matters, were there not, Mr. Nicholas, upon which you voted while you were a member of the board prior to the time that the trolley matter came on in which there was absolutely no money? A. Yes sir, there was some. . . . . There were many matters on which I voted on which I never heard any talk of money one way or another. (315)

Following the fire, I was a subscriber for the "Examiner". (316)

I did testify as follows on August 6th, 1908, at the preliminary examination of R. in the police court, as shown at pages 21 and 22 of the record: "I could not recollect how long prior to actual vote Gallagher spoke to me about it, and I could not say approximately; as to your question was it a month or two months, I say it might have been right after the earthquake, and in that first conversation he told me there



would be \$4000 in it, I do not know that he said anything more, he didn't speak much to me, he said he was here more than just say there would be \$4000 in it and walk off; he said "This matter coming up, we want to stand in and vote in favor of it. (Int) "What did you say? A. I told him I was in favor of the overhead trolley. Q. You agreed to take the money? A. I didn't know; I told him I was in favor of the overhead trolley. Q. You at that time consented to accept the money when it was given to you, you acquiesced in his proposition? A. When he gave it to me I took it. Q. But he gave it to you, you didn't object to the offer, did you? A. If he made an offer, I don't say that he made a direct offer. Q. Mr. Nicholas, you don't think he made direct offer still of any money in the trolley matter? A. Nothing more than he said there was \$4000 in it." (111,15)

(The testimony of Nicholas was interrupted and Miss Gordon, who took down the Gladstone statement, was put upon the stand and she gave from her shorthand notes as the statement of Nicholas at the Gladstone on the trolley was following: "Q. In the matter of the granting of the franchise for the overhead trolley of the United Railroads, did Mr. Gallagher tell you that there would be something in it for you if it was carried? A. Yes sir, I heard there was something coming in the board on it. "I waited one day and Gallagher came along and told me \$4000 in it. "Q. Did he tell you \$8000 for it? A. I think before the earthquake there was something about \$8000; I don't think he mentioned \$8000. I think I heard from some other members of the board. He said very little. Didn't speak a cent to me then. "Q. Give me to understand there would be \$4000 in it if it went through? A. Yes sir.") - - - - - (104,3)

(Miss Gordon testified to the following as the testimony of Nicholas before the Grand Jury: "The next matter I want to call your attention to is the trolley; before the ordinance was passed granting a license to the U.R. to erect poles and wires for an overhead trolley, did you understand that there was to be anything coming through on that? A. Yes. Q. What told you about that? A. Mr. Gallagher. Q. Did he tell you how much? A. 4000, I think.") - - - - - (136,7)

Mr. Nicholas, what was it that revived your recollection as to this statement of Mr. Gallagher's about \$4000? A. I could not say what it was, it just nearly came to me, the accident and the place it occurred came to me and that is how it was.....I refer to meeting him in Power Hall and Gallagher going out and some gentlemen coming in and saying "Come on or we will miss the gentleman," or something to that effect. I understood from that statement of Gallagher's that he wanted me to support the trolley ordinance and that there would be 4000 for me for voting for it.- - - - - (174,8)

The trolley matter was never referred to in committee before its passage to print that I have any recollection of. (174)

Some matters were referred to various committees, matters of this kind would be submitted to the public utilities committee, and I do not so positive whether the public utilities committee had it or not, although I was a member of that committee.- - - - - (175)





I cannot recall what it was Callahan told me about how I should act in the Board after our confessions. In answer to your question on that point I say it might be that he told me that I was expected to behave myself while I acted as supervisor, he might have said that to the members of the Board in that meeting before we went to the Gladstone. I believe I recollect Callahan telling me to vote as I was told to vote in the matter of Leane, but I cannot recall any conversation. I think he gave me for a reason that Leane was too close to it. It was in the committee room of the Board, and a short time after the confessions of the members, a week or more later, when he told me to vote for the removal of Leane.-- -- (277-28)

In relation to the trolley ordinance, I followed my conscience; I was in favor of the trolley ordinance before it came up at all.-- -- (282)

#### HIGHWAY EXAMINATION.

To the best of my recollection at the present time, the first and only conversation I had with G. about the trolley was on the Saturday before the Monday when the ordinance came up, with the exception of the time when he paid me the money when he might have said "Well, here, Dick", or something like that. Of course, I am not so positive it came up the Monday, but that is my recollection.-- -- (283,4)

When I said in the Gladstone, "Yes, I heard there was something going in the Board on it. For a long while I thought I was going to be shut out on it. I waited one day and met Callahan coming along, and he told me there was 4000 in it", I meant just what I said there.-- -- (284,5)

What I meant when I said at the Gladstone "I thought I was going to be shut out on it for a long time" was this: There was a rumor afloat that there was something coming through in the trolley matter, and I happened to walk into Mr. Callahan; I do not hardly think I could be waiting there that day because I believe it was Saturday afternoon. I know it was not unnecessary to have that door open on Saturday afternoon, as I walked in through that door and ran into Callahan. I may have put it that way "I waited one day", but I might have misunderstood the question. It was from the rumor that was afloat that I thought for a long time I was going to be shut out on it. (285,7)

I did testify at the first Lord trial at page 497 as follows: "Q. What did he say? A. I cannot recall exactly what he said. Q. Give us the substance of it according to your best recollection? A. He told me there was a resolution before the Board for an overhead trolley, and that there would be about 4, over 4000 in it, or something like that." I advise that more I said that he said there was a resolution before the Board, and I believe that is what he said. In answer to your question if there was a resolution before the Board, I say that might have been my way of putting it, but I cannot be positive that is what he said, but that is what occurred to me at that time. Q. Now if this resolution was before the Board, it might have been introduced before any conversation occurred between you and G. about it, is that not true? A. It might have



been; I would not be so positive of that. My answers at the first board trial were the way it then appeared to me. I got the idea that he had said to me there that there was a resolution in before the board on the trolley, something to that effect. It is true I have already said that I had had one conversation with him on the trolley that I recall until I get money. I am of the opinion that the resolution was introduced on Monday. (227-3)

You have called my attention to that part of my Gladstone statement as follows: "I think before the earthquake something about \$1000, I do not think he mentioned it, I think I heard from some members of the board--he said very little--didn't speak a cent to me then;" and in answer to your question as to if he did tell me \$1000 I say no. - - - - - (229,30)

Then I said "He said very little, didn't speak a cent to me then", I really don't understand it myself. Q. Isn't it true he didn't speak a cent to you in the only conversation he had with you in the trolley matter? A. To the best of my recollection it is; I don't remember anything he said previously; I don't recollect anything previous to this time. THE COURT. Q. Did you intend in answering the questions propounded by Mr. Rogers to state that at no time did you ever talk with Gallagher about money in the trolley matter? A. To the best of my recollection that is right. Q. That you never did talk to him about money? A. In other matters? Q. In the trolley matter? A. Only on that one occasion; that is the only one that I can recollect at the present time Mr. Rogers. Q. When did you hear him when you said "didn't speak a cent to me then"? A. There is something wrong there; it doesn't appear to me to read right. I do not understand it readily the way it is there. I might have heard it rumored that there was \$1000 in it, and referred to \$1000. It might have got in that way. I can't account for that language the way it is at the present time. (230-3)

Then I said at the Gladstone "For a long time I thought I was going to be cut out on it", I meant that I thought they were going to cut me out, that I wasn't going to be declared in on it. The first indication I had that there was going to be some money in it was there was a rumor around amongst the board but the first real information I had was from Mr. Gallagher. It was before Gallagher spoke to me that I thought I was going to be cut out, and that I thought I was not going to be seen. I didn't so positive I waited for Gallagher, but I might have said so. I may have said I was waiting around there for, or something to that effect. I did not wait for Gallagher. My explanation is not extra clear on it. - - - - - (234,5)

I did not have any talk with Gallagher about him I was to testify to before I went to the Gladstone, but to my recollection, I believe I am clear on that, but I could be mistaken. - - - - - (238)

I remember that Gallagher went out to see Spreckels and came back and met me and the rest of the board, and with the proposition of taking immunity and testifying, but my objection to it on the ground that it didn't include the indictment against me for receiving a bribe from Hoiness & Company was the night that the board resigned in July, and that is the time that I had the talk with Gallagher about immunity, and that is what





be concerning my indictment, and the night before; I believe I was sure of that, and I believe it was from your office before that that I went to the Gladstone, and I did not have any talk with Callagher about my immunity until the night I resigned.

(197,8)

I did have a talk with Callagher along with the rest of the team before I went to the Gladstone, and when I said a moment ago I did not, I misunderstood the question. What I mean is say he that is that he had a talk in this committee room after Callagher came back from seeing Sprague, and he told me he had seen Sprague, and the agreement was mentioned then that we were to testify and receive immunity. - - - (198,7)

Q. And wasn't the agreement made then before you went to the Gladstone that you were to receive immunity in the Garretts case? A. No sir. Q. It was not? A. No sir. Q. Are you sure of that? A. I have got of it. Q. What's that one of the reasons why the immunity agreement was not entered into at the first meeting? A. No sir. Q. It was not? A. Not to my recollection. No sir. Q. You're that one of the principal things that Callagher went back to see Sprague--your view? A. Not what I know of, no sir; on the night that we resigned, Callagher went to see Garretts and Langdon, I believe it was, on that particular point, and that is the only time that I have any recollection that he did go there on my case.....I brought up the affidavit I think; it might have come up and I discussed it. - - - (199,8)

I did have a conversation with Callagher the day I went to the Gladstone, but I can't think I had another with him before I went to the Gladstone. He did not mention in that first conversation about immunity, what I should testify to, what I have any recollection of. He told us we would have to tell the facts in all matters pertaining to these here matters. Q. But he told you there would be certain questions asked which you would be called on to answer? A. There might possibly have been asked of him if such question had been asked; there might have been such a thing as that, but I do not stick on it. I take it that he told us we would have to tell every thing connected with the matters of the party. He did not tell us that would be required of to my recollection. I am laboring under the idea that there was one question asked him, not I am not familiar with the question, or maybe more than one. I have an impression of that kind in my mind that there was something he took effect. I was laboring under the idea that some supervisor asked him if all these questions would be asked pertaining to matters, maybe the trolley or the prizefight, or so on down the line. I have not got the recollection whether Callagher told us to answer any specific question when I was yesterday "I think he told us to testify to certain questions". I might have had the line of questions which would be asked, but I could realize in my own mind as the questions asked. The word "Certain" means a direct question as a question, you to you. I have been president of the Carpenters' Union thirteen years or six months back. It has 500 members. I was president of the District Council of Carpenters, comprising all the carpenters in New Ireland connected with the union for about six years or six months, and had the usual duties. - - - (200-400)



When I testified at the Gladstone that Gallagher did not tell me how much there would be in it, and that he did not tell me there would be \$100 in it, it was the impression my mind was under at the time, and it didn't strike me at that time that he did. I was not certain of it, and my answer as to there says I wasn't certain, and then the incident recalled it to my mind, I was quite positive of it. That is, the incident of meeting him in the hall. If I had had that incident in my mind at the Gladstone, I would have testified to it, and I therefore must not have had it in my mind at the Gladstone. THE WITNESS. I am speaking of the Gladstone trial. I did have that incident in my mind at the Gladstone, and I am under the impression I did. There was either a man with Gallagher, or a man came near and said to him "Come on, etc.", I think it was his brother, but I could be wrong. It was the incident of meeting Gallagher that recalled it at the Gladstone. In answer to your question now it is that after the incident was in my mind at the Gladstone it slipped out of my mind at the Gladstone trial, I say, there is quite a lot of a large eye in that slip out of his mind. - - - - - (10-7)

In answer to your question whether I had any conversation with Gallagher before I went into office, or up till 1908 or 1910 or January, in there, with reference to deals that were to be made by the board, and to a man or three who were to be obtained by them, I say to the best of my recollection that I never had a conversation with Gallagher before I went into the board. Shortly Gallagher came to me in relation to the Home Telephone Company, and I believe that was the first conversation I had with Gallagher in relation to any dealings, but I was so mistaken as to the Home Telephone being the first. It may be that in the prizefight proposition Gallagher told me something to the effect that there were going to be some deals in it, or some money to be gotten, and that he would get for me and get it, and I think he did. I think that the prizefight matter came up within two or three weeks after we came in the board. I have no recollection that two or three weeks after I went in the board Gallagher told me there would be important matters coming before the board, and he would look out for my interests. (10-10)

I testified at the R. preliminary examination as August 8, 1910 as follows: "Q. Did you have any understanding with A. concerning your action upon that board? A. Not to my recollection. Gallagher told you in substance that I should be important matters coming before the board, and that he would look out for your interests, or words to that effect? A. I believe Mr. Gallagher said that, yes." - - - - - (11)

Q. I will ask you this question: Did you have a conversation with Gallagher in which he said to you that there would be important matters coming before the board, and that he would look out for your interests, or words to that effect? A. I have a recollection of a conversation of something of that effect; it might not be the exact conversation. . . . . In previous it occurred when he spoke to me about the Home Telephone. It might have been also at the time he held out to me the prizefight, and that might have been either a week or two or three or four. And I said in old time was I might have been there, but was all that. - - - - - (11,12)





To the best of my recollection, Gallagher said to me at that time in substance that there would be some important matters coming before the board in which there would be a great deal of money in it, and that he would treat the boys fairly. (414)

I could not say that Gallagher said to me in that connection that he would treat me fairly in that matter; he never said it very often. If he said it at all, and I can't recall whether he said it at all. - - - - - (414)

I did testify as follows: "Q. Now you stated here that Mr. Gallagher used the expression that he would treat the boys fairly at other times. When was it again? That he made use of that expression to you, and what was the occasion? A. I don't remember that. Q. Well, give it to us as near as you can relative to any other transaction? A. I think he made it a hundred times." I have heard Gallagher say that quite often. - - - - - (415)

" I did testify as follows: "Q. Well, give it to us as near as you can relative to any other transaction? A. I think he made it a hundred times. Q. He made it to you at least a hundred times? A. Oh, I would not say at least a hundred times, he might have made it a hundred times, I don't know how many times he made it, but he made it quite often. A. Didn't he say in some of those conversations that he would take care of the boys and help them in all matters upon the board in which there was any money, or words of similar substance and effect? A. He might have said. Q. What is the best of your recollection? A. Believe he did say that." I gave that testimony, and I believe in now. - - - - - (415,16)

#### WORTHINGTON'S EXAMINATION:

I was laboring under the impression that these conversations with Gallagher in regard to treating the boys fairly first came up at the time the prizefight money was handed to us, and I would not be positive when he gave me the prizefight money. He stated that he had to go to work, how go-between work for the board, and that he was going to keep out of it, and then there was a click, and it was stopped. I could not recall at that time that he said anything in that talk about C. and in that conversation there was not anything said, to my recollection, about any matters that would come up thereafter. I think the next talk I had with C. in which he said anything about treating the boys fairly, was when he spoke about the Howe Telephone Company. There was no talk at that time between C. and me in the telephone matter about my paying back part of the money I received from the Pacific States, or about any of the boys paying back any portion of the \$5000 received by them from Balboa. I can't think C. discussed that with me. Some of the members of the board discussed it with me, and I went up to see C. about it. - - - - - (416-17)

My talk with C. about the telephone matter was that he came to me one night at the Sunday previous to the caucus and stated that the Howe proposition was coming up and that there would be \$3000 in it, and he might have said at that time something about being fair to all the boys. I might have had a



further conversation with him on the subject but I cannot recall. I know there was a difference to be paid, but I don't know where it came from. Some of the members got \$500 on the Board, and the ones that got it from the Pacific States got \$1000 and there may have been some question of that between me and Gallaher, but I cannot recollect it. It may be possible that I had a talk with Gallagher in which I discussed the question of the other members getting more than I did on the telephone matter, but I cannot recall it. There was no discussion between Gallagher and any other member in my presence at any time in regard to there being different amounts paid to the different members of the Board in the same matter. Whenever Gallagher would say anything about in relation to any deal being through, he would say that he would treat the boys fairly, but I cannot recall it or any other occasion when he was not discussing the promise of money, or the payment of money in one of those transactions about which you have testified? A. I think he said it to me one night on the street car while I was going out with him at the time the mayor went away, and he said while he was mayor he would treat the boys fairly.... that was one of the time the money went to Chicago. It was somewhere around the fall of 1901. I believe the discussion was on in the newspapers about an investigation of the Board, and I believe the grand jury was in session. - - - - - (419-24)

I don't think Gallagher discussed with me the matter of their being money in the Parkside franchise. Q. Do you say that anybody told you there would be money in the franchise? A. I think Mr. Wilson discussed that with me, and I believe it was during the time the ordinance was pending, or the matter was before the Board; it was before the Board some time since. I think the first time Wilson discussed the proposition with me of there being money in it was before it came up after we took that ride out to the road. When he came back, I think it was discussed sometime after that; before the fire; I really could not say whether it was before the fire or after. He argued that with us or not. I remember there was a change proposed in the road. I remember that the change in the route was after the fire. - - - - - (423 1-2 -8)

Unofficial Parkside application filed January 3, 1906, ordinance passed for printing on March 16, 1906, officially passed March 26, 1906, approved by the mayor March 28, 1906; ordinance April 2nd notice of sale of franchise published 16 times, passed for print May 7, 1906; October 23, 1906 new application filed for Duane Street Avenue. December 15th ordinance passed for printing. November 19th, 1906, ordinance officially passed; November 20th, 1906, ordinance approved by Gallagher, Letitia Baker, November 23th, 1906, 10 ordinance submitted; November 31, 1906 bid of franchise opened and the bid of Parkside people accepted; January 11th, 1907, bid approved by Letitia and Baker would allow a publication which would be 90 days which would run it up to March or April, 1907 for the official passage of the ordinance. - - - - - (428,6)

The impression I have is that Wilson did talk to me about money in Parkside after the fire. It was during the grand jury investigation, I think, while money was being raised as assistant district attorney; I remember that H. and the mayor were indicted in the early part of November, 1906. - - - - - (436-3)





As to your question when did I first hear anything said by any member of the board in regard to money being any concern in the matter, I say I do not positively when that occurred; there was a rumor quite early on it; that is how it strikes me; that rumor was right after the earthquake. Q. Well, did you hear anything said about the matter in one hour before the earthquake? A. I don't think the trolley, unless it was the Miller Street trolley was mentioned. I am not quite familiar on that..... I remember recall any discussion about the Miller Street trolley before the earthquake. I cannot recall any better than that no discussion about the trolley. I have got a kind of a recollection that I did not know about the trolley, I think I did not recall whether it was before the earthquake or afterwards. Q. Is your memory whether there were some fixed in that money you heard? A. Some of them were fixed about the time it was in it. ....and my impression is that was after the fire, because I think there was some discussion about the Miller Street trolley, but I am not positive; I cannot get the connection in my mind. I am thinking under the idea that it possibly will there must be to be in it, and there were several others, but I would not be positive about any more; I am under the impression that some time after the fire. I could be mistaken you understand when a motion picture's name. I think there was some time after the fire. I am not certain and really that any one on the board, and that is why I am of the opinion I should be (1432) 11.-----

I do not believe there was any suggestion made to or by any member of the board that the members should get together on the matter and let all men come out of it, or get any particular amount out of it, or prevent it going through unless there was money in it, or anything to that effect. As to your question whether I have any modification in my mind in regard to that, I say I cannot recall of any.----- (1433,1)

I did not attend any meeting of my members of the board at that time there was any discussion about us in regard to what we ought to do in the trolley matter.----- (1434)

Q. Did you have any talk with any member of the board other than Callaghan, and the time you have referred to what might have been with Callaghan, and you at any time after my talk with any member of the board in regard to the Miller Street or the trolley franchise or permit, and to what you speak to it, or whether you ought to get any money for it, or anything about it? A. I am of the opinion that we did. Q. How did it? A. That I got a conversation with the other members of the board..... I am not clear on what that was. I think that I think I had a conversation with them to it, but I cannot be certain. That conversation, I believe, was after the fire, and I might have been positive or doing so positive as the trolley franchise to what we had to do. Q. You recall anything to it was said? A. There might have been or I have got a kind of an impression that there might have been some conversation with them after the fire. I think I had a conversation with them after the fire, but I am not certain. It was before or after the purchase of the franchise in 1911, but I was about that time. Q. What was that conversation about? A. Well I think it was about that time. Q. And, and I think



there was some dissatisfaction on it. Now that might have been quite a while afterwards, it might have been when it came out after the investigation. I am not positive of that.....I am laboring under the opinion that I heard that Wilson got \$10,000 before it came out in the investigation, but I do not know who told me. While this thing was passing, or previous to the time it came up, there was quite a lot of discussion on it in relation to how much ought to come through on it. To the best of my recollection I heard Kelly discuss it, and Carey I think, and probably Weston discussed it with me. I am not so positive of Carey. It might have been Phillips. I could not say if I heard any one of them discuss it more than once, but it might have been. I do not know if any of these discussions was prior to the passage of the bill. Q. Did you have any discussion with any member of the board in which either you or he suggested the amount that you would ask for or try to get, or any amount that you would accept or try to get? A. The only thing that I can recall is that there was a suggestion offered by some member to me that there should be \$1000 in it, but it is as close as I can get to it.....I do not think Phillips ever told me how much he promised him in the matter, but I have a faint recollection of hearing that C. President Phillips in the matter; I know of it least I am almost sure of it. - - - - - (432-6)

Q. Do you have any positive recollection of having any conversation with Phillips prior to the passage of the ordinance on May 14, 1866, in regard to that matter? A. I have not got that portion set in my mind. It might come to me from hearing Phillips testify, or reading it in the paper. In answer to your question, second, I say I can't answer it yes or no. I can't recollect what time it was, before the time or after. I mean to say I can't recollect whether it was before Phillips testified or after. When the \$1000 proposition was adopted and I read in the paper about Phillips testimony when it came out, that of course might set it in my mind. I believe I heard Phillips testify. - - - - - (437-9)

Q. Now, Mr. Nicholas, did anybody, any member of the board, at any time say anything to you, or did you say anything to any member of the board prior to the passage of the ordinance in print or by May 14, 1866, to the effect or so to that action should be taken or would be taken by you in regard to the per it? A. I am laboring under the opinion that Kelly spoke to me about it, and I spoke to him also. I think prior to the ordinance being passed I spoke to Kelly about it. I believe that Kelly then said to me that the matter was coming up, and that there ought to be more than \$1000 in it. I can't think at what time I had heard from anybody else that the amount is it was to be \$1000, and that I recall. I can't tell you that I had said anything to any member of the board and determined upon the amount of \$1000 and talked it over, or if or not it occurred that amount. Q. Well, could you say that you did not? A. I believe that Kelly knew there was \$1000 in it before I did, and he was the first man who suggested the \$1000 to me. In reply to Kelly, when he said there ought to be more than \$1000 in it, I might have said I thought there ought to be, but I cannot recall what I said. I can't say positively that I said. I did not say anything to him then about not getting the bill unless I got a number of more than \$1000, and Kelly did not do by recollection, and





nobody said anything like that to me. I cannot recall distinctly that I had any conversation with any other person then Kelly on the subject prior to its passage to print on May 14th that I now recall in which the amount of money to be paid was discussed; I surmised that I did, but I am not positive of it. (438-44)

I do not remember as to what time the ordinance came up to print on that day, or what part of the day it was, or what I was doing around there on that day. My impression is that Gallagher was in the chair on that day, but I can be wrong. I was around there pretty nearly every day before the Board was called to order. It was to meet at 2 o'clock but we generally didn't meet until half past four or five. I don't know whether it came up on this special day or 2 o'clock or not. When I said I did not have any recollection of talking with any other member of the Board, I did not mean to include S. (444)

I did not talk with any other member of the Board before the passage of the prizefight ordinance in regard to how much I wanted to get in that matter, and I cannot recall that I heard any members of the Board talk about it. - - - - - (444)

Prior to the fixing of the rate rates in February, 1908, I did not have any talk with any member of the Board about how much money there ought to be in that matter; and I heard you state that in your question you exclude Gallagher. I cannot recall that I heard any discussion among them in regard to how much money there ought to be in it, or that they would demand or require a certain amount of money in it; I can't recall that I had any talk with anybody outside of Gallagher. (444,5)

There was never any discussion at any time in any house or any meeting of any member of the Board, at which the discussion of how much money would be for the prizefight permit. (445)

There was no discussion among them as to what they would want to let the Bradley permit be passed. - - - - - (446)

There was no discussion among them as to what they would want to let the Lathrop franchise be passed. - - - - - (446)

I never at any time suggested in advance the amount I wanted to receive on any one of the matters, in which I received money from S. nor did I have anyone else do so. I could not say would fix the amount I was to receive in any of those matters, prizefight, bus fare, telephone, Bradley, telephone. - - - - - (446)

I never told S. that I wanted him to let me have money for me in the prizefight matter, nor in the bus matter, nor in the Bradley, nor in the telephone, nor in the Bradley, nor in any other matter, nor did I ever hear any other member tell him such a thing, nor did I ever tell my member to tell S. such a thing. (446,7)

In answer to your question whether before I spoke to the Gladstone I talked with anybody besides S. in regard to doing there, I say the matter came up at meeting of the Board at which



all were present, except Landerman and Lee, I think, and I well direct from that meeting to the Gladstone, and that is the only meeting I refer to. There was another meeting when the lower residents, but that was the only meeting prior to the date when we went to the Gladstone. I don't recall a meeting a day or two before that at which Gallagher made a report to the board about Lyndale. The meeting I am speaking of was on the day we went to the Gladstone, and from 11 o'clock all day, and was in the committee room of the board. I believe that commenced to go to the Gladstone about 10 in the morning or earlier. I did not seem to say that the meeting commenced at 11; some of the members got there earlier and others later. I should judge that Gallagher got there about 11. I don't think any of the members went to the Gladstone while Gallagher got to the section. I think I was at the meeting in the morning, but I cannot recall the number that were there when I arrived. Now that I think of it, I think Gallagher made a talk the day before in which he said that the game was up, and that he had a talk with Landerman, and that he did not in agreement with Landerman, I think he said that we were going before the district attorney and state all the matters and to speak about Landerman and Horton and Wilson getting trapped and that we had better go and make a true statement as they had the facts, and if we did, we would get immunity.----- (447-2)

Q. Did he (Gallagher) state what the matters were you were to be questioned about? A. I am under the impression that there was some question asked of him there and he said "Tell the absolute truth".....I cannot recall any question that was asked of him or of any supervisor.----- (448)

I do not know whether Gallagher mentioned any of the matters or not that we were to give testimony about. I believe there was some question asked of Gallagher pertaining to all matters, but I am answering now in a half guessing way. I can remember that Davis asked him a question, but I cannot recall the question. I know he was very anxious about the matter, and it might have been in relation to Parkside, or it might have been in relation to the trailer, or it might have been in relation to any matter. Q. Did he Gallagher tell you what any one particular matter would be expanded into, or expanded into any more than any other matter? A. I think the question was asked and Gallagher said that all questions would be expanded into. Q. Did he say anything about whether any question would be asked you whether you had received a promise before you got the money in any matter? A. I don't think he did.....I can't think anybody said anything about that. (448,4)

I remember Frank Murphy before I went to the Gladstone and on the same day and after Gallagher made his statement to the board. He was my attorney at that time in the Parkside indictment, and I told him what Gallagher had said to me, and I did ask him some questions about what I should say when I got up at the Gladstone. I don't remember; I just asked him what his opinion was in this immunity arrangement, and I told him I was expecting to get immunity, and that I was going to the Gladstone to make a statement, but I did not question him as to what particular way I should testify in regard to any particular matter, and he did not make any suggestion in

that respect that I can recall.----- (448-4)





Owens was at the Gladstone and directed me to answer the questions just as I saw them and honestly. - - - - - (411)

In regard to what is timing or mine is the first time trial, I want to ask the word "resolution" is the same thing as a motion coming before the board. I do not think it is the best of our vocabulary what he has said. It would have said there was a motion coming before the board, or he could have said there was a resolution coming before the board. I do not of the motion there was a resolution before the board. I think it was not before the board when Gallagher spoke to me about it, but I could not swear positively about it. I have a faint recollection that the resolution was passed on the same day it was introduced, but that is not by hearing it discussed by yourself and other people. If the record shows that the resolution was passed on the same afternoon that it was introduced, and immediately after its introduction, then this conversation with W. in regard to the 4000 was before the meeting came upon the board, the resolution. At the time I voted on this resolution, or on its passage to print, I did not hear my talk with Gallagher about 4000 and I know at the time I voted there was to be a 4000 in it for W. - - - - - (412-413)

Then I said "I think he told me to testify to certain questions asked," I mean by that that some of the questions had "passed him some time ago, and that he told them to testify and answer truthfully when the others were asked. There was quite a lot of questions asked there. I cannot recall now. Gallagher did not make to my answer that answer would be given other than a truthful one, nor did he tell them what to say. (414)

After the trolley ordinance had been passed, there were discussions among the members in the matter of complaints because the order did not come through, and there was some discussion at the time among those as to whether Gallagher was treating them fairly, or as to whether he might have the money might have turned it over, but I did not have any talk with W. in regard to that, that the money had not come through. But I believe that I have my talk with him in regard to these complaints, and I don't think I made any statement to me in regard to that. - - - - - (415-416)

At the time W. made me the first payment of 4000 in the trolley matter, I do not believe he said any statement to me as to why it was not 4000 that he was paying, but he might have. The impression I have is he said W. did not come through with the rest, but I wasn't is positive. - - - - - (417)

At the time the trolley ordinance came on for passage to print, I cannot recall whether there was any car line running in the city, but I am of the opinion that there was not. - - - - - (418)

I was out there running down Market street, but I don't know say whether it was previous to the passage of the ordinance or not. (419)

My statement on the board's consideration in regard to the condition of affairs at the time I voted for the passage of the ordinance to print is based on the information W. the trolley was located to be on Market street. I was not in California



street but I had occasion to go down Market street quite often to the ferry. I could not say whether I voted for the trolley matter on passage to print before the cars ran down on Market street or not.-- (462,3)

#### RE-EX CROSS EXAMINATION.

Q I did not answer directly as to whether when B. spoke about the \$2000 which was paid instead of four, he said something about B. not having come through; he did not say B. did not come through, but I surmised that. I have a very faint recollection of the matter at all. I do not want this jury to understand that Gallagher said that.-- (463,4)

I did testify at the A. preliminary examination at page 30 as follows: "Q. In any conversation you ever had with A. or Wilson, was there any money proposition with B. ever mentioned, the defendant B.? A. In no conversation about any money proposition was B.'s name mentioned to me by A. or Wilson." A. and I do not want to be understood as withdrawing that statement. (465)

Wick replied to my statement at the Ford trial "He told me there was a resolution before the board for an overhead trolley." I could be mistaken on that, and as far as the word "resolution" is concerned, I believe I have been in error in that one word.-- (466)

Q. Do you wish to have us understand that you retract the testimony you gave in the Glass case? A. To a certain extent I believe there is an error in that portion, of the resolution; it was meant in my way of expressing it.----- (467,2)

I never had met Mr. Calhoun in my life, and I never saw him until I was here in court in the first Ford trial; I believe that is the first time I saw Calhoun to know who he was.-- (468)

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1. The first part of the report is a general statement of the purpose and scope of the study. It is followed by a brief review of the literature on the subject.

## 2. Methodology

The study was conducted using a combination of qualitative and quantitative methods. Data was collected through interviews, focus groups, and surveys. The results of the study are presented in the following sections.

The first section of the results presents the findings of the interviews and focus groups. These findings are then compared to the results of the surveys in the second section. The final section discusses the implications of the study and provides recommendations for future research.

The study found that there is a significant relationship between the variables studied. The results suggest that the findings of this study can be used to inform policy and practice in the field.

The study also identified several limitations and areas for future research. These include the need for a larger sample size and the inclusion of more diverse participants.

In conclusion, the study provides valuable insights into the topic and highlights the need for further research in this area.



TESTIMONY OF WITNESS COLMAN GIVEN AT  
THE CALICO TRIAL (No. 1436).

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I voted on the proposition of passing the trolley ordinance to print on May 14, 1906, and prior to that time I had conversation with G. on the matter; I can recall just the conversation relative to the matter, and that was prior to its coming to the board for passage. I should judge several days prior to its introduction in the board; to the best of my recollection that talk took place after the earthquake, and I believe it was in the board room at Laguna and Grove streets. The substance of that conversation was that Gallagher said he had a stand in connection with the trolley matter, and ~~somebody~~ Gallagher thereupon told him that I was in favor of the proposition, and he then mentioned to me that there would probably be 4 or 1000 if it; at that time he was called away and without answering the telephone or to some else called him to one side, and spoke to him, and I did not make any response to that statement of his. - - - - - (1979-72)

Subsequently I received \$4000 from Gallagher in two installments; I received the first of the installments at the end of July, 1906, I cannot fix the exact place, United States Agency, I could not tell you as to the denominations of the bills in the first payment. - - - - - (1972,3)

The second payment was made the following month, long towards the 15th or 20th of August, but I have no way of fixing it closer; I should judge the two payments were about three weeks apart. Second payment \$2000 United States currency, I could not state the denominations. - - - - - (1972,4)

One of the payments was large and the other small in denominations. By small denominations, I mean 1's, 2's, 5's, 10's and 20's, and in the payment in which the bills were large, the major portion was in \$100 bills. I think there were some 50's, I have no way of telling whether the payment in small denominations was made first or second, and as to the time of the payment, I have no way of fixing the receipt of either payment, but I recollect that one payment was made in the board room at Laguna and Grove and the other at Fillmore and Otterrell, just outside of the Tuxedo saloon. The first payment was made to me after the repassage in June. - - - - - (1974,6)

I remember a luncheon at the carpenter's, sometime after the first, but I cannot fix it exactly; it may have been before or after passage to print, but I believe it was before the final passage on May 14th; Fillmore and Lane, in the carpenter's shop, and the luncheon was served in one of the cars, a special car, I think; present at the luncheon, I believe were Dexter, Gallagher, Phillips, Wilson and myself, and possibly, Calhoun and Lyon, and his father or brother, and one or two others, and R. was present; I cannot be very positive as to whether or not that was the first time I met Calhoun; nothing was said at that luncheon in respect to the overboard trolley ordinance. - - - - - (1974,8)









Referring to the "Examiner" editorial of May 1, 1966, I have no independent recollection of that editorial, but from the time of it and my testimony here that Mulhally spoke to me prior to this matter coming up in the House the passage, I would say that it was about about that. In answer to your question, I say my belief is that Mulhally did speak to me as that matter before it came up in the House for passage.

(1201,3)

I did not see Mulhally in that connection when they were going to file an application, nor did I see him one month, or what time they expected to serve, but I was under the impression that they were going to operate, or were looking to operate whatever time was possible with electricity; as to what gave me that impression, I am not sure it was the one-paragraph news item in the "Examiner" of the 1st of May. I gained that impression from talks with some of them; we do not know who I talked with about it, I think most likely it was the principal one, and I have no independent recollection of any particular person outside of C. or that. It was not in the time recollection about the 1966 when I talked with C. about it; it was about the time that the matter came up for passage to print; when I said that I had but one conversation with C. prior to the passage to print, I had reference to that particularly to the proposition of there being 1966 or 1966 in the matter; I believe that we had another general conversation sometime in the matter prior to the passage to print on May 1st, but I have no idea of when it was or what it took; I think it was after the 1966 talk; I cannot say whether it was before or after my talk with Mulhally; as to what was said by C. at that time, I think that in substance some mention of the fact that we would likely apply for the transmission of some of their lines, and from what he said to me I understood that they would operate their lines by electricity; however they could do so; as to why I took it for granted, I say I felt that would be the course. The only conversation I had with Mulhally on the matter when he was on the case as to be possibly would touch the passage of the ordinance in question, and I thought to him that I would see Mulhally and Florence I had around the passage; when I went to Mulhally, it occurred to me that they wanted the ordinance for the entire system wherever it was practicable. I cannot give you any reason at this time why I did not see Mulhally what it was they were going to apply for and whether or not some information from him as to what they wanted, other than that it did not occur to me at the moment. - - - - - (1201-4)

I did not have any talk with Schmitt about it prior to the passage of May 14, 1966; I remember the newspaper's reading of the matter at the time it came before the House for passage, and that they were against the granting of the permit. I do know there were reports in the newspapers that Schmitt had expressed himself in the matter, and that he was for a temporary permit. - - - - - (1201,5)

Q. Then did you then learn that the matter was going before the Board on May 14, 1966? A. I don't know whether it was on the Sunday night prior to the meeting or not.....I have no recollection of the matter as to whether or not I knew it at all before the afternoon of the day on which





CORROBORATION.

As told previously on the Sunday night immediately following December, 1900, and they went along almost as a matter of fact from that time on and were held every Sunday evening previous to the meeting of the board on Monday; as we were permitted whether there was a caucus held after the fire were approximately two weeks ago, I say the caucuses were generally held on a Monday night; after the fire I think there were a few caucuses held; after the fire we were supposed to meet every single day; meeting rooms were located at Laguna and Grove streets. I attended Wilson's at Laguna and, shortly after the fire in the eleven hundred block on Golden Gate Avenue, I recollect having several meetings at Wilson's House, which was vacant at the time, until we moved up to Wilson and Miller streets, and there were some every day nevertheless about it. 4. Do you remember this subject of the proposed meeting being brought up in the caucus on one of these caucuses held at the time meeting so frequently before it came before the board finally? 5. It may have come up at one of these meetings, but I have no distinct recollection of the time of this time.....I have no distinct recollection of the fact concerning that on May 25th the matter of the proposed meeting finally was discussed in the caucus of the board; I have no way of fixing it; I could not say that that did not happen.- - - - - (1287)

The matter of the board was in being all matters of importance on the Sunday night caucuses there and through the board and in the caucuses of the board could in effect the public with the latest possible friction among themselves.

(1288)

I told briefly at the first part said as follows: "4. Had there been a caucus meeting and a vote on it, that is referring to the meeting itself, prior to that, as you remember? 5. The caucuses are there was a caucus at the meeting on the Sunday night prior to the meeting of the board, as that was the custom to through out all these meetings in caucuses as it is known off the stage edges and came before the public with the latest friction among the members possible." I don't know now, as I answered at that time, the caucuses were there was a caucus, but I cannot positively state that there was on that particular subject. (The Court withdrew and the first witness left.) - - - - - (1289)

In some Sunday night caucuses, minutes were kept and in others they were not. My last recollection is that in May, 1900, we were meeting in caucus at Hamilton Hall, Fisher and Grove streets, and the board met at Mayor Hall; the caucuses were held at another hall; for a time after the fire, until we moved over to the Hamilton Hall, we were meeting at Wilson's house, but I could not say for how long.- - - - - (1290)

Then Callaghan spoke to the board the matter, that he said first he was not authorized to put the matter of the meeting was about to come up, and he asked me I could say it, and









THAT IS IT, AND I BELIEVE THAT IS ALL THAT I WILL SAY. (END)

Open addressing by identification is another method used at the time that trial, page 9, I say that I said at that time that two of my constituents had come to see me and said they were favorable to the granting of the franchise, but that it would be a good thing for the sake, so it would require trans-  
position mind, we help revolution. A. Then what did he do? Q. I don't know. A. I cannot recall anything further at this time. A. Well, on occasion, of course, some money, didn't he? A. Yes sir.....He said there would probably be 4000 or 5000 in it, and I think then he was called by the telephone and the conversation ended, and nothing of or said anything further that I can recall.....in the two evenings I did call Callahan and I said things were in favor of the franchise, and then I was in favor of it from about the night, but not in such that there would probably be about 4000 to 5000 in it, and I did not really get lost at all, because he was immediately called away. He never again mentioned the sub-  
ject of money to me in connection with the franchise matter, or the matter. It was not necessary in my case. He never mentioned it or to the time he was there. - - - - - 111-11

The Royal money I received while I was a supervisor was in approximately 1910, the Royal Grant, before the war, and the price for the money was about 100, I had not been told that there would be anything more. I received 1000 in the year, and it was 1000 after deducting 125, as a commission for handling the money. The war had increased the value of the money, but I cannot recall it with any accuracy. I believe I had some money about the end of 1910, and I had - - - - - I had

[illegible]

After such lunch my walkway would be to walk down to the Pavilion. I noticed I was in front of stretching the time then, and by chance was that I believed it was a good thing for the ship to open up some a large area. I cannot just walk another hallway with nothing to do after this the direction was more towards it as well as being able out if there was anything to do. I remember that after the luncheon he made mention to the fact that there was a good. It was very similar. I cannot recall the name of the place as that I was especially about finding it as well as being that all of these was working in the 1950s to that.









to the passage of the Home Telephone Company's Franchise, there were two parties, one opposing it, and one favoring it; the Home Company was seeking a franchise, and the Pacific States was seeking to prevent it; I received money from both sides. The side that I favored first was the Pacific States, and I received \$1000 in that matter, and I believe that was in the month of February, 1906, and my understanding of what was for was that I was to favor the Pacific States' side provided a majority of the board so stood, that is, I was to oppose the Franchise of the Home Company if a majority of the board opposed it; that was my understanding with Selver. Subsequently, I received \$1000 from the Home Company, making \$2000 in regard to that question. I did not give back the \$1000 to the Pacific States, and I voted against it because a majority of the board was on the favor of the Pacific States' side; I voted to pass the Home Franchise. It was Gallagher who gave me the \$1000.

(1327-9)

I was employed by the Pacific States Telephone Co. about February, 1906, at a monthly salary, and that was prior to my receiving the \$1000. The position for which I was hired at the monthly salary was to keep the Pacific States people informed as to matters that would come before the different committees, and before the board, and to furnish whatever data in connection therewith it was possible for me to do; I had been under employment about a month when I took the \$1000. (1329,30)

I got the \$1000 from Gallagher in connection with the Home Telephone Company's Franchise, sometime in March 1906, and I received the \$1000 from the Pacific States in the month of February, 1906. - - - - - (1330)

I did not get any money in the Paradise matter, but I did make an effort to collect, but my efforts were unsuccessful. I have an independent recollection at this time as to when the last time was that I made an effort to collect the money in the Paradise. In answer to your request that I give you my best recollection and judgment as to when it was, I say I think it was the latter part of 1906, about November; and I was leaving for the money through C. as it always used to be, and I did not get it. - - - - - (1330,1)

I first heard about William Henry being granted about the month of March 1907, and it was first presented to me by Gallagher at the board meeting of the night. - - - - - (1331)

In answer to your question whether or not before I voted in the same vote matter I heard there was money in it, I say that in the best of my recollection at this time, I believe that I had no information on the matter until the day of its passage. I did testify at the judicial examination of R. Goodwin, at page 12, August 3, 1906, as follows: "I then got some more, about the same time, if my charge is the one of STACY. I did not know at that time what the money was for. A. When it was paid to me? B. Yes. The money was when it was paid to me, I don't want to mislead you. A. Well, I would not mind if it was mislaid. I will suggest myself to the extent,-- after the verdict was returned by me, and when I found \$1000 was mentioned it was on the good examination, and at a bank and the money it was on the good examination. When it was paid to me I was away from the bank and the money was paid to me." (1332)











































allow the applicant to care for himself. (177)

I cannot recall at this moment that up to May 1, 1968, and after the fire I had heard of a witness, or any other of-  
ficer of the company who would accompany me on the subject. (1397)

At the time the subject came up on May 14, 1968, I knew that the KKK had been approved since the time by identifying the Williams street, and sitting at the end of North of them in the back part of the line. I had heard that they were running in the street in the town, but I could not be possible. On May 14, 1968, I talked with some people who were in the street in the town, and they were running down on Williams street, and across the street, probably, and I believe that they were running in a group of people, and I think it was the same as the Williams street. (S)

[illegible]

Between the time of the receipt of your letter and the time  
page 2 of report that things were being done by the  
United States Government, we have been working for the better  
and, I think, for some of them, and I understand that you  
and others are also interested in it.

On making reference to the 1939, 1940 and 1941 files of the New York office, it is apparent that the probable date of the document is 1940 or 1941, and the subject stated, that the police provided information to the FBI.









On May 14, 1906, I had gathered from the newspapers that there was opposition to the granting the L.R. the full length of their franchise, and I may have received other information along that line from general conversation among the members, and Mr. Gallagher in particular. - - - - - (1380-4)

From the general opinion of those I talked to prior to May 14, 1906, they did not seem to pay much attention to the loss of the franchise; they seemed to be real anxious to get the trolley going and transportation established; everybody wanted transportation established; As to your question whether I discussed with anybody, or heard anybody discuss the length of the term, I say it came up generally, but that was not the particular point. Very particular stress was laid on the matter of getting transportation re-established. It came up generally in our talks, but I cannot recall with whom, and I talked with more than half a dozen people as to the length of the term, I believe so, and that was prior to May 14, 1906, but I can't name anyone. Of course, that would be a subject that would be mentioned in the general course of conversation, and I would say that that particular point of the length of the term was touched on by probably half a hundred people or more that I talked to, and that was before any application for a franchise had been filed before the board by the L.R., for the reason that it was generally understood by all that the L.R. would seek a franchise covering the overhead trolley, and what gave me that understanding was because people came to me and mentioned the fact that the L.R. would undoubtedly want a trolley system. I cannot name all the people who talked to me, and the papers, too, I think were exciting the question of a franchise, but I don't believe at this time that any paper was exciting giving the franchise for the entire term. - - - - - (1380, 50)

When Gallagher talked to me about the 1906 or 1900, I believe my words to him were that I had always been in favor of the overhead trolley from start to finish, and by that meant from the date of the fire right all the way along the line, but I made no explanation of my remark to him. - - - - - (1379, 1)

When Wilson made the remark in the Temple to the effect that a matter of the magnitude of that of the franchise matter should give each supervisor some money, or a lot of it, I did not ask him what he meant, nor read the suggestion; it may have made me feel better on that point. - - - - - (1380)

I was present at a caucus before we took office at which the matter of selecting the committee was discussed, and my recollection is now that the committees were presented to us. I am of the belief that I attended all of the Monday night caucuses, and I remember the one at which it was decided what the matter of the committee should be referred to the mayor and E., and consented to that. - - - - - (1391, 1)

I came to the conclusion of Gallagher's leadership in the board because at caucuses where the mayor was absent, Gallagher always occupied the chair, and another point was that he was the leader of the board and he seemed to be selected by it. (1392, 3)

I never asked Gallagher or anybody to get money for me in any matter unless he received the matter to me first. (1392)





[illegible][illegible]



to me at this late date that there was a mention of insurance made, but just what that talk was I cannot state. The first I refer to was in the early part of January, 1912, where some plant of theirs just south of Market street was burned; the rates were filed in February. I remember that there was a caucus at the mayor's office at which the 30 cent rate was finally decided upon by the members; I don't remember a--a a talk with Gallagher at that time on that day in regard to the amount of money there would be in it, nor did I then have any other talk with any other member of the board; my talks on money matters were simply with Gallagher. But I say I had rumors, but I don't believe that I heard any rumors at that time as I think it was at a later date. My best recollection is that I did not hear rumors until after the matter was passed to print. As to your question whether on the day it was passed to print and before voting upon it I had heard a rumor in regard to there being money in it, I say it was about that period of time that I heard the rumor from the members of the board, and I went by that that as I would be passing through the committee room in the city hall at Larin and Millimeter streets, I would hear them discussing the gas question and in overhearing some of their conversations I heard that there would be \$750 in the gas matter, that is I heard some supervisors say that, but I cannot say when. I would not like to swear as to whether or not that was before I voted on the passage of the ordinance to print because there is some uncertainty. As to whether or not it was my understanding that if there was money coming through to any of the members I would receive whatever they did, I say I felt right along that whatever the other members would receive I would also share in. (1890-5)

I cannot recall who it was that at the meeting of the board when immunity was discussed expressed doubt as to Loneragan having been trapped the second time, but someone did, and probably more than one member, to the effect that they did not see how one of the board could possibly be trapped the second time. I had heard before that time that Loneragan had been trapped, it was a general rumor about the board, and also that there were others but we did not know exactly who was how many; I heard that it was on the skating rink ordinance, and that the second trapping was reported on the oil ordinance. No one had said anything to me about the oil ordinance before I heard that Loneragan was trapped the second time, that I can recall. I believe both Gallagher and Wison had spoken to me about the skating rink ordinance before I heard that Loneragan was trapped, and they said in effect that they wanted to know whether I had been reached by any of those promoting the end of the skating rink deal, but I had not been approached with any offer of money in that connection. - - - - - (1890, 1901)

It is impossible for me to give you Gallagher's exact words as to our retaining office, but he said in our own statements that we would be allowed to hold our offices during our term and furthermore that the police from whom that would be guaranteed would do all they possibly could towards retrieving our lost position in the community, that they would help us, and it is my recollection that Gallagher said that we were to hold during the term. As to your question if Gallagher said that appreciable had said that the resignation would not be asked for because benefits and that would fill the vacancies if they did resign, and that there we would have a opportunity to reelect ourselves, I say to my that I cannot recall such a statement





being made by him and he attributing any crime to that time. I was considerably brought up at the time of the meeting, and the news which Gallagher claimed about the testimony of some of the members and that it was up to the board to decide whether they would become witnesses or be prosecuted; it is impossible for me to state exactly what was said, but that I have lost my recollection of the sum and substance of Gallagher's talk at that time. - - - - - (1400,1)

Q. Now as the subject of keeping the money, what was said by Gallagher, how did that question come up? A. Some member of the board put the question direct to Mr. Gallagher..... as to what would become of the money the members had already received on the various deals, and Gallagher's reply in answer to that question was that the money undoubtedly would remain in their possession, because he felt that the members of the Graft Prosecution would not want it, they would not look for that and. There previously was something said about the legal effect to it, and I think that the point raised was that, that there would be no obstacle for it. Q. That if the Graft Prosecution got it they would not know what to do with it, nobody would take it, is that it? A. Well, I did not look at that end of it. (1401,2)

After reading my testimony in the third Bird trial at page 60, my memory is refreshed and I now say as to whether or not my conversation with Mulhally in regard to the trolley matter was before or after the passage to print of the ordinance on May 14, 1900, that I feel that the information I gave there on the third Bird trial would be more likely to be correct, but still there is some uncertainty as to those dates; I think my story was a little fresher at that time and following out that point, it would strike me now that probably that conversation with Mulhally was after May 14, 1900, and that conversation was the one in which Mulhally said he would like to have the ordinance go through anyhow so to do what I could for its passage. - - - - - (1402,3)

#### RE-CROSS EXAMINATION.

The ordinance for underground telephones and telegram wires went through I think in the early part of 1900, and with respect to the dressing of wires testified to by me as to re-direct examination, I say I don't think reference was made to it in the light of the underground wires falling across a trolley wire. - - - - - (1403,4)

I have read the clause in this ordinance providing that all feed wires shall be carried underground as soon as they can possibly be put there, that is that the U.S. feed wires should be carried in conduit, and I noticed that clause at the time the ordinance was under consideration, as also the clause relating to ornamental poles, section 3 of Bill No. 1076; I also noticed that there should be installed on these poles ornamental electric lights, and that Market Street was to be lighted without expense to the city from the money to Valerius Street and on Fuller Street from Market to Van Ness. - - - - - (1404,5)

I did not understand that this ordinance carried a franchise with it for new new lines, but that it was simply a permit to change from the cable power to the electric power; simply a restoration of the old lines with a different motive power, and I did not look upon that as contradictory to the plan for



Municipal ownership of public utilities.- - - - - (1406)

I never have lived in a town where they had two telephone systems, but I have had reports from such.- - - - - (1406)

I never did get any salary as a member of the judiciary committee and Gallagher never came back to me and told me that that had been arranged; what he did in the first place was that he led me to believe that there would be \$150 in it for me, but I never got it, and he did not to my personal knowledge make any definite arrangements of that kind.- - - - - (1406,7)

I understood that Loss made some figures also referred to a coconut line on Leary street, but he came to the committee after the fire and wanted to be released but I cannot recall at this time his making any statement to the effect that the fire and earthquake had demonstrated the infallibility of coconut linen franchises, but I would not say that he did not; and I have a faint recollection that after the fire he spoke about the matter of putting in a trolley as more satisfactory and said, that he mentioned it before the board, or at one of our committee meetings.- - - - - (1407)

I knew that the original life of the franchise was neither lengthened nor shortened by a permit and I knew that the life of some of the franchises was short and some of them quite long. Some of them, I believe, ran 20 years or more, but I can't particularize.- - - - - (1408)

From the general conditions that existed at that time and my own knowledge of rehabilitation, I knew that it would require great sums of money to restore the lines.- - - - - (1409)

Millmore street was first operated after the fire, and then Market street later and there was a gradual resumption commencing almost as soon as the fire was out.- - - - - (1409)

My understanding of the matter was that the system was pretty well derelictized and that was true also as far as the cable cars were concerned, they were in pretty bad shape. (1410)

My recollection is that an application for a permit on Market street was before our board prior to the fire, and in the hands of the public utilities committee.- - - - - (1410)

I think the Market street improvement also communicated with our board after the fire to the effect that they were favorable to a trolley, or a certain portion of their plan. (1412)

I do not remember particularly about Parnen's report, but I remember the fact of the report going before the Merchants' Association. I have no inkling whether one of the gentlemen ever met him; I remember that the Merchants' Association heard of directors unanimously passed a resolution after the presentation of the Parnen's report recommending the overhead trolley as opposed to the underground conduit, but I do not remember the exact date.- - - - - (1413-14)

I did testify in the first case, the second case, and





Wednesday May 13, 1908, at page 35 as follows: "Q. Did he  
"Callaghan tell you he wanted to have it postponed so that he  
"could find out how much there was in it, or what? A. Yes, I  
"was his employer at that time, or something of that sort. A. I  
"would say in the matter that he did not have used those words,  
"but the aim and substance was about to it and it was an under-  
"standing by me. THE COURT. Q. What? A. That the matter of  
"the telephone propeller would be postponed from time to time  
"until he ascertained what was going on in the proposition for the  
"members of the board and my himself. Q. Now, tell us one  
"thing which he said from which you drew that conclusion, from  
"this statement he said. A. Well, I said that was he gave him  
"for any of the savings, but I feel sure that he told me once or  
"twice--probably twice--that he wanted the matter postponed  
"until it could be decided after we had ascertained what was  
"in it. Q. Now, did you make any point to say that he should be  
"satisfied? A. No, we were rather anxious-- Q. (Int.) Answer my  
"question. A. No, we were anxious to league with him on the  
"matter. Q. Can you answer the question? (Question read to  
"witness) A. I would say that we did." - - - - - (1414,16)

A. His testimony in the first trial, on page 17 as fol-  
"lows: "Q. Is your son told Callaghan ever came to you after  
"that luncheon and between the time that he told you there was  
"\$7500 in it and asked you to hold it up and asked you to sit and  
"there and up and hold it in the committee until the matter was  
"fixed, until he could find out whether there was something in  
"it or not until the matter was arranged 'going something in it'  
"or anything to that effect? A. He may have spoken to me  
"because I knew he postponed it several times in the committee.  
"Q. Whenever you postponed it then it was for the purpose, was it  
"not of having Callaghan find out whether there was something  
"in it for the members of the board, and how much. Is that  
"true? A. I think that was usually the case. Q. And in  
"this particular instance was not that the case? A. Yes sir." (1416,16)

I believe I made an affidavit in the case of London  
"against Callaghan and at this time I would say that I was not  
"aware of its contents when I signed it or the back of my recol-  
"lection; I cannot recall having sworn to it before a notary.  
"That is my signature and I know Alfred Burman, witness, and  
"I notice that it says it was sworn to and I would not wish to  
"testify against the notarial seal now that the notary put his  
"seal on without my knowledge or consent. I signed it at  
"Burman's office and I know he was a notary and took oaths, but  
"I did not know just exactly what I was signing at the time,  
"as my recollection serves me about it, because I was just  
"about the time for a meeting of the board and I drove up in  
"a buggy and one of the supervisors was with me and I spoke to  
"some other supervisor told me there were papers to sign over  
"there at Burman's office and to sign same and come back to my  
"meeting, and I did. Whoever spoke to me in regard to the mat-  
"ter told me there was a document there that would probably show  
"up against me and had been dropped on the board and that was my  
"part of the document. I do not believe I either read it or  
"heard it read. It is not a habit of mine to sign before a  
"notary, although have old men put on without knowing what it  
"is, but I did not do so by knowledge or that same in a while, but  
"to the best of my recollection and in this case. I took  
"it for granted that it would simply show up and someone that  
"had been rejected, or that someone who I signed it in a hurry  
"and I signed it and the action of the committee was to reject it.



and purport or others would afterwards. As preliminary  
note was mentioned to me and I don't think she would be quite  
so long, and it could hardly have been a preliminary note with  
a verification. I had had that information the previous day  
or two before it was and it was either Adams or some member of  
the board (I don't put it in evidence and stipulated to be iden-  
tified with the Stoddard one).- - - - - (1417-23)

#### RECORD OF EXAMINATION.

My understanding was that after the fire the criminals were  
to be put in force immediately about the wires going underground,  
and I know that the electrical laws were postponed and that con-  
dition was taken after the fire towards compelling the telephone  
and telegraph wires to be put underground, but I cannot recall  
just how.- - - - - (1422)

I understood that electrically it was a case of the  
wires, but I had no definite knowledge on that subject until  
14,1906, and I don't recall having read anything in the report  
of G. Moore or that.- - - - - (1423,3)

I cannot give you any definite idea on the matter as to  
whether or not on May 14, 1906, I was by understanding that the  
service of the cable on either street during the year 1907, and  
down to the time has been very bad.- - - - - (1424)

I was all over before the Board Committee seemed to  
withdraw the report he had up on the condition system, and at  
that time there was a great deal of contract work and many and  
prices had gone up and we were it was to him, but I do not  
believe that he suggested that we should take it over as I  
believe Halligan had some mention of the fact that there was  
Telegraph or the Administration and that we should allow him to  
withdraw his demand, as it would not be just the proper thing  
to give a trial. I feel sure that Halligan had spoken  
about the matter to me.- - - - - (1425,7)

I agreed that the cost of putting wires and poles up and  
removing the debris and placing tracks and getting the material  
here and installed, that is everything that would be required  
to put the trolley system in operation and get the necessary  
trolley cars here would run up into millions, whereas I was  
then or eight or ten millions.- - - - - (1427,2)

I have no definite recollection of reading in the papers  
in December, 1906, the reading by Dr. Callahan at the Merchants'  
Association banquet of a telegram from Indianapolis to St. Paul  
that they had \$1,000,000 on hand ready to put into improvements  
if they could save the cables electric on either street,  
still I may have done so and I may have had in mind on May 14,  
but I could not swear.- - - - - (1428)

I think I understand that the specimens of cables and on  
either street were of long periods.- - - - - (1429)

Some people were even antagonistic to the wires on  
Market Street and not so direct after the fire, but they were  
small in comparison to those who wanted the trolley immedi-  
ately all over town, and that is completely of the late, and I do  
not mean to say in the testimony that was quoted in the act of  
the R. was not a case in that which Halligan was on there















members of that committee always sanctioned any statement  
of the nature that the Chairman made. - - - - - (1442-4)

The matter of returning the \$22,000 to 1944 was not in the  
hands of Gallagher. - - - - - (1443)

RE-75-11 OCT 1941-1942.

After the time had passed in May 1942, there was no  
talk among the members of the office that if the U.S. applied  
for an extension of the bill it would be postponed until the road  
bill had been passed. It is in the record that the bill  
is all about postponed in the Senate. After the bill  
is by knowledge, and no statement that it is. - - - - - (1444)

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THEORY OF MODERN PHYSICS BY A. EINSTEIN. 1905.





I was present when this or similar evidence came up for passage or prior on May 14, 1880, and voted for it. Before the matter came on in 1880, had you had any conversation with any other member of the House in relation to the ordinance? A. I presume I did; it was generally discussed. (1880)

I did have conversation with a member of the House and the subject in which order was mentioned, and that was it. It was early in the latter portion of, it may have been a few days, in May there being a week, it may have been just prior to the arrival of, but it was around there anyway; Leary's will. Had's will would come into me within hearing distance. That conversation was after I told the proposition of sending a message to the U.S. for the installation of the overland railway on their various lines or in some way, and there would be talk in it for me, or words to that effect, and what I said to him in reply was that I would be in favor of it. (1880,1)

I recollect that the ordinance came up again on the 14th of May, 1880, for final passage, and I also recollect that the ordinance was re-passed to print, and finally passed after the adjournment in June, 1880. (1880)

I received from James L. C. following the passage of the ordinance, he sent in one package. My best recollection is that the first payment was about a month after the final passage of the ordinance, the final payment; Leary Hall; he never gave me a receipt that I know of. He then gave me a package of bills and asked what it was for; in part payment in his writing matter, and what I said to him was that he had promised that there would be 10000 forthcoming, and he said that was all he received; I was a dispute with him over it. (1880,2)

That first payment of 10000 was in currency, but was in a package; I think a very large envelope. The bills were of various denominations, mostly five, ten, I think some twenty, and some smaller; by some smaller I mean one and two. I cannot say and have to say as recollecting at this time how many there were of each of those denominations in that first payment; they were mostly fives. I would not say the bulk of the package, but my best recollection is that it was at least a large one, but that it was practically as much as the package would hold; quite a large envelope. (1880,1)

My best recollection is that the second payment was made about a month or six weeks afterwards. I cannot fix the day definitely, but I think it was some time in August; 1880; currency; \$254- 20's and 10's, mostly 100 bills; in an envelope; 1000 smaller envelope than the first payment. When I made the second payment I had some dispute with him over what he claimed was the balance on the railway matter; I had some dispute with him and with the same result. (1880,2)

I don't think that delivery the matter of the 100000 dollars came up in the House before I leave it. He was satisfied and satisfied of the U.S. money was in relation to the U.S. money. (1880)



I remember testifying at the second 1960 trial of the Temple murder. I believe I said that I was on the inside and that I was not with him in the room.

1. 1. 1.

I was standing in the vestibule at the entrance door  
 going to collect mail on the street and we were talking to the  
 witness standing there, whom I had known for many years, and  
 who was also a friend of Inspector Caffery's and Detective  
 James J. Lee. I believe that Inspector Caffery was called on  
 the street that afternoon; I don't know whether it was in  
 the morning and this I was standing outside there and he  
 had asked me had been talking to me and what had been said  
 and I replied to him as far as I know in my best ability to  
 be sure that I thought he was trying to let me know that  
 before the public had seen any report of "How do you suppose  
 you would like to be indicted", and I then went to Caffery after  
 he left the street and I told him what Burke had told me. There  
 is no way to be sure that he didn't like Caffery's testimony and  
 answered me "He would like to be indicted; he asked me  
 how I was feeling about it. I did nothing at the time, I  
 don't know why, he talked: "G. All the first time when you  
 "Inspector Caffery talking, do you want to be indicted? A. Yes.  
 "G. All you at that time, what is after Inspector Caffery  
 "There testimony from the witness about time when the thing in  
 "Caffery, that means that's his testimony, and after Caffery  
 "That is what I like to be indicted? A. I did not say  
 "What he said he would; I simply said Caffery that as a friendly  
 "That is it, that is all. A. That is that means the only thing  
 "That testimony would be like to be indicted? A. Yes.  
 "But, I answered that as far as a friend of Caffery was indicat-  
 "ed was was convicted, and I know where I stand. (Silence)

After I was still in the second room trial at the afternoon, I was told somewhere Henry's last words to me when I was in the state, but that night I went to see Henry and talked with him about my testimony and then the next morning I went back on the stand and resumed testifying. I was satisfied I was able to tell the matter as best I could and that was all and I was testifying under duress. I never had the feeling that Henry did not like my testimony, nor I what you are told. As it was possible when I gave that feeling to Coffey, but that I wasn't sure any need for the previous counsel, I was that was not the manner in which I understood it. I did understand there is one that he showed like the way Coffey testified, but how would Coffey like to be indicted, and later when did not the law of him. It is true that Henry did advise me if the second Ford told I was I left the stand without believing the truth and that was what occurred. (104,5)

[illegible]





testimony, and told me to read it over. He did not walk down the street with me and lecture me, but he talked to me. I had refused him for not giving me the testimony I understood I should have had and Callaghan gave it to me to read over, and refused my money, the grand jury testimony, and that was all. Possibly also he took me to the first Ford trial because I do not know whether it was the grand jury or the first Ford and it may have been both; I don't know why Callaghan took it upon himself to do that, but I was not surprised by it. He took me down the street with me and gave me my testimony and told me to read over, and had a signed certificate. He conversed with a street car in the trolley station and I had answered it. (1133-3)

On my first talk with A. on the trolley he stated that the money asked for the placing of trolleys on all the main lines of the C.R. was asked and I felt about it, and told me there was no need of it and I replied that I was in favor of it, and that about ended the conversation. I could not state whether the matter of the \$5000 occurred in the first portion or the other portions of the conversation. He did ask me how I felt about it and I replied I was in favor of it and I may have given him a reason but I could not say at this time. (1133,40)

I have been going over my testimony at the various trials after a trial, but I have not looked it up to any degree of late. I have not been reading over the transcripts, but I read the first M. trial, but I did read the testimony previous to that and made some memoranda on it. I asked for it at the district attorney's office and got the grand jury testimony and the first testimony and the class testimony, but I have misplaced the transcripts. Have not had an opportunity to look them over. I tried to find them very recently, since I knew I was to become a witness in this case. I talked with Mr. Clark at his office several days ago and was shown some transcripts there, but how many I don't know, but I think I was questioned on one of the Ford cases, and Clark read me the questions and answers and asked me if they were correct or not as I knew; he said it was his custom; I was also told he possibly was then asked; he did not read it all, could not say whether it was the first or second Ford trial. There were some things that he read from the transcript and asked if it was correct, and if that was my recollection; and that happened also before the last trial of A., I was called down there and I think the same method was pursued. The transcripts had been furnished as I said over at home and the last time I saw it was previous to the first M. trial and I read as many of them as I could find, and my comrades had studied them as best I could rather carefully for the purpose of refreshing my mind as I knew I was going to be questioned on it; don't know as I had forgotten any of it but I may have. I may have had my grand testimony over since I gave it; I had it all together. I don't know I read it over before the last case. I think I lost it before the first M. case. (1134-3)

Upon refreshing my recollection from my testimony at the first Ford trial, I now say it is true that when A. asked me how I felt about it I told him I believed it to be a good thing, and that it was necessary after the fire on the cars and the facilities for the people, and that I was in favor of it for









1. no record in past five to six years.

4233)

When I asked me to hold it up until her mother was fixed up, it was not my understanding that it was for me to get her back home until he gotten out of it for me. I was not; I never asked him to go and get my father. I was to be always there with preparations to be. I was to be at page 28 of the document on the 11th of October: "I. The next day the great hall was up on the 11th of October, at 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 8

1. 2. 3.

As it goes possible if no experiments were all standing together in all many soldiers, & so we could together as all the are certainly in better than in the last. (1)

1

RE: JAMES EARL RAY, AKA; ALIEN; DO FILE AFTER: 100-441117-1000

( 1 2 3 )

A second day, that the trailer battery was discovered at 4:00 AM, we were still at that time, when the trailer battery came on, almost fully, and it may have been in the battery - I am not sure. If it was discovered at 4:01, but I am not sure if was discovered at 4:00 AM; in the morning, I went back to the battery at the board meeting.

1992

After the fire, we held our house on Third Street, and again at Henry Hall and again at Southern Hall. We met in a lecture room right after the fire, and it was on Third Street near Henry Hall, and I think that was our first place of meeting, and the next was at Wilson. I don't know how long there we met at Wilson, not very often, and we met at Southern Hall, but that was not the meeting-place of the board, but was the place where we held our campaigns and was attended and heard.

10

I received the first payment about a month after the first  
payment, not in July.

( 404 )

As to the observations of the bills in the river stream, the bills were given to me in a small paper package with the second payment, and as I received two payments and one of them was of small bills and one of large, I think it from those bills that was the first payment, it was 10 small bills, namely 10¢; a few tens and a few hundred and one bill was smaller, one cent and less.

(1904)

[illegible]

18



I do not remember the telephone number being discussed at the meeting of 8. The latter came up in context and only before the year, 8. I don't at this time remember the number being mentioned. I don't think the House Committee ever heard of committee, but as far as I know, I don't know before the committee was mentioned." (11-1)

There was a discussion during the meeting as to the known Moore technique, and that discussion was that most of the men are wary in regard of not granting it because Harvey was hostile to the party during the election, but Dennis favored it, and for that reason it went through; there was not anything else discussed in that regard that I heard of. I don't remember Dennis' or Clement's other expressions or remarks at the time and there was nothing written down. (Continued from Moore technique filed June 25, 1964, passed to your file. 25, 1964, approved by the group October 2, 1963; will follow under the subject in a 4 page continuation). (100-3)

Upon reviewing my recollection from the Barling trial, page 47, May 11, 1960, I now say there was a great deal of dissimulation; Harve was not favorable to the party at the meeting, and that was the case of the great dissimulation. I am certain of that Barling case at page 47 of my 11B as follows: "There was a great deal of dissimulation on the [redacted] of the cause. There [redacted] and that I remember distinctly and it was increased by various members in my family." Now there a meeting of the group where the dissimulations took place came out and they told us of getting a [redacted] [redacted] two or three killing victims and the love talked to [redacted] that there would be more if those things unless they [redacted] something out of it, because in that effort. I don't remember exactly it transpired there but I know there was some [redacted] dissimulation over the matter." Harve's case probably did not come to be true, but I remember his coming before in court.

(11B-4)

I registered with Frank Bailey and Phillip A. at the telephone booth and I voted for the Labor Protection Union. The Labor Union, Bailey was from the Pacific States, and they had the reputation of law breaking. The USCO, I got from them was a check list, but my vote was not considered by the USCO and one day Bailey took the money. I had received the money from the USCO.

(b)(7) - (D)

[illegible]





1. The first part of the report is a general statement of the purpose of the study. 2. The second part is a description of the methods used. 3. The third part is a description of the results. 4. The fourth part is a discussion of the results. 5. The fifth part is a conclusion.

I received money from the station. I don't believe I was half before that. What money could be and money is not. (143)

Q. Now you told before that there were 14 men present in the christening ceremony. A. I don't know who, no. I know who were around the house. In the christening called out there in the yard where, you said, I provided a situation until you were so ready to accept. A. No, I don't believe I did. B. You provided it without any previous intent. A. I told you, yes.

I am very sorry to hear that you are having trouble with your eyes. I hope you will get better soon.

[illegible]

I signed the affidavit, but did not understand the same  
before signing, and never knew the facts until it was given  
to me. I was told that it would be used in court to  
show that I was a Communist, and I knew that the affidavit was false.  
There is no question about that and I have it now. I wrote  
to you, and I want to do it again. (Att: 1017) (1017)

I have the newspaper article re- the following with me as  
evidence. I am not sure if this is the same article with  
the name of the newspaper + I have not seen COCOA yet, as I  
am in the hospital; and I am not sure if it is the same.  
1972-4









and that fact was being mentioned to "Gully" by himself. On Friday-  
at the time I was in the office. I was recognized by one of  
the members of the party, and in fact every person who I  
knew as I walked with in the hallway, passing by lights and  
doors; the person's relations with him were always very friendly.  
(1901-2)

I think it was at a dinner party at the home of one of my  
friends I learned that the fact that I was in contact with  
some of the "Gully" people was at the time of the party. I  
learned that from G. I. I think that party was held at the  
home of one of the friends who was a friend of G. I. I think  
he was with me when I was in the office. I think that party  
was held at the home of one of the friends who was a friend of  
G. I. I think that party was held at the home of one of the  
friends who was a friend of G. I. I think that party was held  
at the home of one of the friends who was a friend of G. I.  
(1901-2)

I think that I took my first step towards the  
direction of the immunity contract would be to make  
the party at the time of the party. I think that party was  
held at the home of one of the friends who was a friend of  
G. I. I think that party was held at the home of one of the  
friends who was a friend of G. I. I think that party was held  
at the home of one of the friends who was a friend of G. I.  
(1901-2)

(1901-2)

It is true that I have failed to make a list of the  
names of the people who were in the party. I think that party  
was held at the home of one of the friends who was a friend of  
G. I. I think that party was held at the home of one of the  
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G. I. I think that party was held at the home of one of the  
friends who was a friend of G. I. I think that party was held  
at the home of one of the friends who was a friend of G. I.  
(1901-2)

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RECEIVED AT NEW YORK FROM J. H. HAYDEN OF THE NEW YORK  
/1413.





TESTIMONY OF GOVERNOR JAMES P. HILL - CHIEF OF CHARGE, TRAIL,  
1443.

I acted for the overhead trolley ordinance on the passage to which in May 1906, and before the ordinance was by in the house I had a conversation with Gallagher in relation to it at Laguna street somewhere near Terry Hall; our meeting, place was then in Terry Hall and I think this conversation with Gallagher was on the same day that the ordinance came up for passage to print, and as near as I can recall, that conversation was with Gallagher said "We are going to put through this overhead trolley today and there will be \$4000 in it", and I said "Well, right, I am in favor of it anyhow".- - - - - (1440-8)

Subsequently, and on May 31, 1906, the ordinance was finally passed to print, but I don't remember it coming up for passage in the senate of June, unless it came up under the head of legislating a lot of resolutions that was passed, and I remember there was a batch of matters that had been passed having the ordinance and that were replaced after they failed, and that this overhead trolley matter was included in the lot. (1448)

I received \$4000 from Gallagher in two payments of \$2000 each, and the first of those payments was sometime after the passage of the ordinance, I should judge four or five weeks as near as I can recall, and it was United States currency, and to the best of my recollection there were no small bills in it under \$5, and I don't think there was any in it over a hundred, but I am not sure about that; I am positive of one thing, there were no small bills under \$5 and none over a hundred. (1448,9)

I have no idea of how large a package that first payment was. It was in an envelope, just sealed in an envelope; I do not recall the size of the bills any more than that I know there were no smaller bills than \$5, and none larger than \$100 bills; I think there were \$5's in the lot. There was sure been some 10's; there might possibly have been 20's.- - - - - (1449,10)

I received the second payment probably also an eight weeks or more after the first payment, but I do not really know exactly, and have no way of fixing the dates of that payment. The second payment was on Laguna street somewhere around Terry Hall and I was alone when Gallagher gave it to me and it was in an envelope and I think the bills were larger denominations, probably 100 or hundred dollar bills or probably all hundreds, I don't know really which of the two. There were not any small bills in that second payment that I can remember of. (1449,11)

When Gallagher gave me this second payment he did not make any statement to me, he said "This is yours". When he made me the first payment I thought he expected about the delay, something about not having currency and changing the money, but I have no recollection of what he said on making the second payment.- - - - - (1451)

#### CHARGE AGAIN CONT.

The first bill of Gallagher was he said "Well, we are going to put through the trolley, the overhead trolley, and there will be \$4000 in it for you". I think he said "we are



"going to put through the overhead trolley lead-in". My recollection is pretty clear that it went through the same way but my recollection that he said "We are going to put through the overhead trolley lead-in and there will be 24000 in it" is as clear as my mind is the fact that there was a conversation.

I did testify at the second Lord trial, with him, as follows: "Believing what he said about it and that was what I was going to the introduction of the evidence I said, 'That's very good long W of line; it was after the first one I believe and it was then a week or two later at the latest before the evidence came in.' - - - - - (1481,3)

My recollection is that that was the way the matter was put to me on the day the ordinance passed, and the reason I testified that way at the second Lord trial was necessarily not being able to remember. My recollection as to the subject believes was as to the time and what was said is pretty fresh, but not as to the main issue. - - - - - (1482)

Well, my own "We are going to put through the overhead trolley and there will be 24000 in it for you". As a way to that statement that I left out the word "lead-in" just now, I was probably that what possibly he would have made that the way I know, but I am testifying at the best of my recollection. My recollection at the first Lord trial was possibly have been better than now as being nearer to the occasion. - - - - - (1483,4)

I did testify at the first Lord trial at page 44 as follows: "A. That was the way? A. He said it would be a good thing to put the trolley through, that it was a necessary thing the public and that there would be some consideration as to it," and the conversation that I have now related was as follows: "We are going to put through the overhead trolley lead-in and there will be 24000 in it", but I could not swear positively whether that is the same conversation, but I am testifying to it at the best of my recollection, but my recollection might have been better at the first Lord trial and I have no preference as to which version of the conversation I want to take, but I believe to the best of my recollection that the truth about it is what I have now said and I cannot understand myself how I could say that at the first Lord trial. - - - - - (1484,3)

I did testify at the first Lord trial as follows: "Q. Did the way look right? A. I think he mentioned 24000". That is the way at that first Lord trial was in September 20, 1907, I cannot state that my recollection was better then than now. (1485)

I am not receiving a letter from the prosecution, but I have seen as many from them as I see any person at his office as my size, nor have I received any news from any source since ever connected with the prosecution, and was sent. - - - - - (1486)

I am in a pretty good position as far as good as to the time of the first Lord trial is April 1908, as I know. I did testify at the first Lord trial in April 1908 as follows: "Q. As a matter of fact, the first conversation was between you and Mr. Bell-  
hanger in regard to these matters connected to that fact that





Gallagher asked it would be a good thing to put the trolley through, that it was a necessity for the public and that there would be some consideration in it and you said you would be in favor of it anyway? A. Yes sir. Q. Now, wasn't that all that was said in the first conversation between you? A. Yes sir." (1462,3)

I further testified at the third Ford trial as follows: "Q. Now is it not a fact that it wasn't till later on, when you got to the later on, that he mentioned to you what that consideration would be, namely, \$4000? A. No, I don't recall it that way. Q. Well, did he, or did he not say in the first conversation with him that there would be some consideration in it? A. Yes." - - - - - (1463)

In answer to your question if that is the way that conversation took place, I say to the best of my recollection I only had one conversation with Mr. Gallagher in regard to that trolley matter. I attempted to narrate the conversation correctly at the first Ford trial, and I was attempting to answer truthfully the questions asked me at the third Ford trial, but I am complaining now I cannot answer the question was was at the third Ford trial. (1464)

I think he said \$4000 would be in it for me. I cannot say positively whether he said that would be the exact amount, but I know he mentioned \$4000. Q. Did he say about \$4000 or something like that? A. Yes, something like \$4000.....he said there would be about \$4000 in it. - - - - - (1465)

Immediately following just what you have just to me I did further testify as follows: "Q. And do you want to say that "he went on and stated in that very same conversation that "that consideration would be? A. Yes sir, to the best of my recollection. Q. Now strong is your recollection on that. "Mr. Kelly? A. Not very well, not very good, Mr. Moore. A. "Do you recollect, though, of his making use of the expression "there would be some consideration in it? A. Yes sir. Q. Did you "able to positively state, Mr. Kelly, that it was in the first "conversation with Mr. Gallagher that after saying there would "be some consideration in it he went on and mentioned definitely "if there would be \$4000? A. Yes sir, that is the way I want "my testimony to be. Q. Sir---how is that? A. The sir, "he said to me that there would be some consideration in it, "about \$4000; the conversation was all at one time." And I think that that taken entirely is a correct relation of the conversation. - - - - - (1466)

In answer to your question whether I am willing to say now that the conversation was as I related it at the first Ford trial, I say I am not prepared to state positively whether it was taken by recollection of all these incidents is very poor.....my recollection as to the time of the conversation is very poor and my recollection of the words is very poor and my recollection of what he said to me is all very poor, rather dim and vague. - - - - - (1467)

Q. Well, Mr. Kelly, you had heard rumors in the street, and you got, that there was going to be something or might be something in the trolley matter before Gallagher goes to jail? A. I believe there was more talk around amongst the boys. I never discussed the matter with them.....the substance, effect, or general idea of that talk was possibly that there









permit anyone, I say I don't know whether I said I intended-- I think I said I favored it, and would vote for it "anyway", I think that was the word; "anyway" or "A anyhow", I can't know which of the two; I thought it was a good thing for the city and what I meant by that word was that I felt that the public wanted the overhead trolley at that time, and I intended to vote for it, that is after the fire and before the 14th of May I had talked very little with people about it. - - - - - (1471)

I testified as you show me in the first Ford trial, page 484 "A. Well, wasn't the fact that the street car system had been destroyed and was it not a fact that there was an instant "and universal public demand for street car service immediately?" "A. I heard that all of it in about the hall up there and elsewhere, but I cannot recall the times and places. It struck me that when I spoke to them in favor of quick transportation. "and getting the cars in running order as quickly as possible, "and I would very little opposition for the system, and I believe I would have voted for the measure in all events." I did testify at the first Ford trial that I certainly made some notes for this measure at all events at that time, and that is my testimony now. (1471-3)

The first money that I received after becoming a supervisor that was illicit money was \$475, I believe, from Williams, and I believe I heard before it came through that it was bogus; I think I was told so, as near as I can recall, I believe I was told so. In answer to your question if I was told it was bad money coming through on the bribe fight proposition before it came through, I say I think so, yes sir. - - - - - (1472)

I received money on the gas rate proposition and I believe I was told before it came through that it was bogus. I. Ask you are positive of that, anyone? A. Very, very positive of it, Mr. Wilson. A. What do you mean "very, very"? A. I don't know as I can recall. I feel almost certain that that was the case, that I knew before it came through, before the vote was taken. I cannot recall the conversation which was the cause of it, where it was, where it was, or who it was, I believe it was in the City Hall. I don't recall the circumstances of it in any way. (1472,3)

I do not recall anything about the principal matter which I heard before that that was coming through, not that I was sure positively; I do not recall the circumstances of that in any way; it was very shortly after we went into office, what is the date, and I recalled when it, recalling the date, I cannot recall the principal matter, but as the present time, so I could not state when it was in reference. I may have recalled it, but I do not now remember and I do not recall it or not. (1473)

I cannot recall all the circumstances of my talk about the telephone before then, before the vote was taken; I remember when the circumstances, but I don't remember any of the incidents except the fact which you have there will be this or what is it; I cannot state when it was and I cannot remember what it was. I understood I was at that time in the telephone office, and I remember that. (1474)



It is possible that the above information was obtained from the files of the State Department, but it is not possible to say for certain. It is possible that the above information was obtained from the files of the State Department, but it is not possible to say for certain.

[illegible]





1. The first question is: What is the purpose of the study?  
2. The second question is: What are the objectives of the study?  
3. The third question is: What are the methods of the study?  
4. The fourth question is: What are the results of the study?  
5. The fifth question is: What are the conclusions of the study?

## THE STUDY

The purpose of the study is to determine the effect of the study on the results of the study. The objectives of the study are to determine the effect of the study on the results of the study. The methods of the study are to determine the effect of the study on the results of the study. The results of the study are to determine the effect of the study on the results of the study. The conclusions of the study are to determine the effect of the study on the results of the study.

The study was conducted in the following manner: The first step was to determine the purpose of the study. The second step was to determine the objectives of the study. The third step was to determine the methods of the study. The fourth step was to determine the results of the study. The fifth step was to determine the conclusions of the study.



"You mean to say that he went on and stated in that very same conversation what that consideration would be? A. Yes sir, to the best of my recollection. Q. How strong is your recollection on that, Mr. Kelly? A. Not very well, not very good, Mr. Moore. Q. Do you recollect, though, of the making use of the expression that there would be some consideration in it? A. Yes sir. Q. Would you very positively state, Mr. Kelly that it was in that first conversation with S. that after saying there would be some consideration in it he went on and mentioned definitely there would be \$1000? A. Yes sir, that is the way I want my testimony to be. Q. Sir, now is that A. Yes sir, he would be so and said there would be some consideration in it, about \$1000; the conversation was all at one time. Q. There would be some consideration in it, about \$1000; is that the way the conversation was? A. Yes sir". (1483,4)

I am going to the first Ford trial September 13, 1947 pages 400, & as follows: "Q. What did he say? A. He said "that it would be a good thing to put the trolley through, "that it was a necessity for the public, and that there would be some consideration in it. Q. Did he say how much? A. I think he mentioned \$1000. Q. What did you say? A. I said "that that I was in favor of it, and I would vote for it myself." (1484)

I do not recollect what was said to me in the conference at the district attorney's office before the third Ford trial; I don't think there was anything particular mentioned to me and I cannot recall any questions directed to me. I believe Mr. Gandy was there representing the district attorney's office; I think it was in the evening at 5 o'clock that he went there, and I believe you did mention at the next morning; if the evening you questioned a number of other witnesses in my presence. (1485)

I would judge the conference at the district attorney's office before the Coffey trial was about a week or two weeks ago, a little bit before the Coffey trial came in a commission; Longaker and Gandy were present and I do not recall anyone else; I believe I was asked if I had any conversations with Coffey in regard to any money I received, and I stated that I did not recollect so; there was no other subject discussed by them so that I can recall. (1486,1)

I do not know whether it was S. or Gandy, but I think it was either one of them who asked me to sign that affidavit; and as to the purpose of that affidavit, I can not say my attention to it, and I did not know what the purpose of it was. (1486)

#### RE-CROSS EXAMINATION:

I paid no attention to the affidavit, and thought it was some order that came down from the top as it were. I don't know if it was not true when I signed it, and I signed it and swore to it knowing it was not true. (1486,7)

AS TO YOUR QUESTION, IF WERE THAT I HAD BEEN ASKED IN DISTRICT ATTORNEY OTHER WITNESSES THAT WERE ASKED TO SIGN - NO IS LISTEN-



















SYNOPSIS of TESTIMONY  
of  
JOHN HELMS  
In CALHOUN TRIAL 1436.









SYNOPSIS of TESTIMONY

of

JOHN HELMS

In CALHOUN TRIAL #1436.

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SYNOPSIS of TESTIMONY

of

JOHN SMITH

in CAIRO TRIAL 1938.

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DIRECT EXAMINATION.

Resided at Ruth, Trinity county, Cal., for last three years; resided right after fire. Detective last ten years; in detective business in S. F. in 1906, 7 and 8; came to S. F. in 1906 from China where in U. S. Secret Service. (3517)

Went to U. R. May 3, 1907; Hoeffler sent for me at Ruth to go to work for them; started from home May 3, 1907, and got here about three days later; called by telegram; lost or mislaid telegram; after arriving here the work done under Hoeffler was mostly shadow work, watching out for things done by Prosecution; no men working under me at that time until three or four months later. (3518)

At first Ford trial had talk with Calhoun on sidewalk in front of Temple Israel; no one else in that conversation; in relation to motor cycles being engaged to follow Burns. He wanted that I should have my men follow Burns to make note of every movement he made, where he went and with whom he connected, and he authorized me to engage motor cycles to follow the automobile, and I engaged two of them and kept them at that about two months. (3519-21)

They made reports to me in regard to the following of Burns every night and I handed those reports to Abbott every day or two as I could get a chance to get them to him. (3521)

Prior to said talk with Calhoun I did not have any talk with Abbott. (3521,2)

I would like to correct that right there before I proceed any further. It was not Calhoun who directed me in the matter of employing the motor cycles, it was Gibson, the detective employed by the U. R. The conditions under which Calhoun addressed me were that I told him the motor cycles were of no avail and that I could not follow Burns with them and was losing him, and he then authorized me to hire an auto and men to put in it and that is the time he spoke to me about it. (3560)

That was the first time I had spoken to Calhoun; no one introduced me to him then, he seemed to know me; I don't recall anyone introducing me to him, he noticed I was in charge of those motor cycles there and I then spoke to him, he had seen me in company with other men employed by the Railroad. (All from "He seemed to know me;" stricken out.) (3561)

The man Calhoun had seen me in company with who were working for the Railroad were the two motor cycles men, Hooper and Curran; men that I employed on the motor cycles, and also had seen me with Gibson and had seen me talking with Abbott at the handing him reports. (3562)

I cannot recall how many times I had talked with Abbott in court when C. was present prior to that, but quite frequently, any occasion I had reports to submit to him and could not find him at his office I would go to court and hand him the reports; that during first Ford trial, and I went to where he was sitting at desk where Ford was. (3562)

I first talked with Abbott about employment after I had been reporting to Hoeffler for about three months who informed

17 APR 1961

located at 1000 North Trinity County, Cal. The last three  
years: 1964, 1965, 1966. Detective last ten years;  
in Detective Division in U. S. in 1962, 1963, 1964, 1965, 1966,  
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They make reports to me in regard to the following of  
every day and I send these reports to a staff every  
day or two so I could get a picture of what is  
going on with the staff. I did not have any staff  
with me.

Q Now, I would like to suggest that right there before I pro-  
ceed any further, if you feel Johnson was directed as to the  
number of meetings the mayor spoke, it was fifteen, the de-  
fective copy of the J. A. M. The conditions under which the  
phone situation was that I told him the phone calls were  
as well as that I would not follow him with them and  
was satisfied, and he then authorized me to give an affidavit  
that was in it and they at the time he spoke to me about it.

Q Now was the first time I had spoken to Gellman; no one introduced me to him, he noticed I was in the rear of those motor cycles there and I then spoke to him, he had been in company with other men employed by the railroad. A: Yes, he seemed to know me; (stated out.)

The men Calhoun had seen me in company with who were walking on the sidewalk were the two water cooler men, Foster and Murray; men that I employed on the water cooler and also had seen me with Wilson and had seen me talking with Wilson at the building him reports.

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I first talked with Abbott about early in 1964. I had been reporting to Mueller for about three months who informed me that I had better stay out after that.



me that I was then to report to Abbott personally. (3563)

Saw Abbott the first time at the Oak and Broderick car-barn; don't recall anyone else present; enter on Broderick St. side going to door leading into the general office, going along the hallway clean to the end of the building, enter door to left on which was a sign "General Counsel U. R.;" I cannot recall first talk exactly, further than he instructed me to keep conversant with movements of Prosecution, get in touch all I could, and obtain all information I could and give it to him, no special information requested or asked for; that being the first time he had met me, nothing said about Hoeffler except that he had recommended me to Abbott. (3563,4)

About that time I opened agency here and had a number of men working and he instructed me employ as many as I saw fit and put them to shadowing and was to direct them, which I did, and the movements of these men and myself I would report to him each day; he directed me to shadow anyone who acted suspiciously and looked like they needed it, carefully; that is the way I was instructed as to whom I should shadow; particularly to watch the jury and see who talked with them; to watch Mr. Burns' officers around the court room and see who they took away from court, that is shadowing away. (3564,5)

In doing that work during first Ford, got acquainted with Platt; suspected then he an employe of Burns; did not have any talk with Abbott at that time in regard to Platt; first talked with Platt and then with Abbott; had talk with Abbott during first Ford trial about Platt. (3565)

While working for Hoeffler he paid me; while working for Abbott, Abbott paid me and in gold and I gave him monthly vouchers made out to the U. R. and addressed to Abbott. (3566)

After a talk with Platt which I had during first Ford, I had a talk with Abbott at his offices at Oak and Broderick and this was during first Ford trial and shortly after I had met and talked with Platt; I cannot recall if jury yet completed in that trial; and I then told Abbott that Platt was working for the Prosecution and that I thought I could get him to work for me or rather for the U. R., and he asked me what he could do and I told him how I thought I could use him and he then arranged a meeting to take place between Platt and him and me; as to how I told him I thought I could use Platt I say by getting information from him as regards the movements of the Prosecution; this talk with Abbott was a very few days, very shortly, after I had talked with Platt and it was still during the first Ford. (3566,7)

Abbott and Platt and I met, but I don't recall if it was in the Oak and Broderick car barn or in McEnerney's office; at this meeting Platt told Abbott what he thought he could do and that he thought he could obtain reports on jurors and give his own reports in, and general information as regards the movements in Burns' office, and that he knew a number of the men and was thoroughly friendly with them and would be able to get the information they obtained; under those conditions he was employed by Abbott and instructed to report to me. (All after "under those conditions" stricken out.) In reply to Platt's statement Abbott said "Well, if you can do these things I will take you on," and instructed him to report to me and told me that I was to hand all information obtained from Platt to Abbott; Platt also wanted to know what he was going to receive

[illegible][illegible][illegible]

(58) Abbott, Abbott who was said in gold she gave him nothing while working for

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as compensation and said he wanted two hundred dollars per month and that amount was agreed upon, that is, as near as I can remember, Abbott said "If you can do as you say," "I will give you two hundred dollars a month if you make good." (3567,8)

In reply to your question if there was anything said about who should pay the money to Platt I answer I was to pay him, Abbott to give me the money. (3569)

I paid Platt after that; I paid him from the time that I employed him during the first Ford Trial, up until the 31st of August, 1908, when I then transferred him to Abbott, or rather instructed him to report to Abbott direct; that is more than a year; as I say, I employed him during the first Ford trial and kept him continually until August 31st, 1908; during all that time Platt continued to make reports to me in writing. There were a number of different reports relating to different things. (3569,70)

During all the period that Platt remained in my employ or received pay from me I collected his pay as I did for the other men whom I had working for me from Abbott of the U. R., and the amount continued all of that time at two hundred dollars per month and expenses; the expenses were incidental expenses incurred, such as going around interviewing prospective jurors, spending money in interviewing them, carfare, etc.; I am speaking of Platt. (3571)

During that time, Platt made written reports to me as often as he could get a chance; sometimes every evening, and sometimes a couple of days or three would pass before he could get to meet me. (3571)

He made reports to me during the first Ford trial, but I cannot recall exactly for how long a time during that trial; it was after the first Ford trial began. (3571)

When I got those reports from Platt, what I did with them was, I made copies of them, duplicate copies, returned the original, that is, the report that Platt handed to me, and gave it back to him in order that he might return it to Mr. Burns' office. The copy of the original report handed to me I submitted to Mr. Abbott and a copy of that report I retained in my office for my own information. I have not those copies yet. (Witness refers to memoranda.) The reason I refer to the notes is that when I resigned from the U. R., in order that I may know what date it was, I handed these duplicate copies of Platt's reports to Abbott; when I resigned from the U. R. on August 31, 1908, I told Abbott I intended resigning and also told him that I had these reports, or the duplicates of all the reports, in fact, all the correspondence that I had given him I retained duplicates, and he requested that I turn them over to him; he then sent George Francis, of the U. R., up to my home; I then lived at 86 Fair Oaks; I turned over to Francis the Yawman-Erbe file containing all the reports that I had received from Platt, that is copies of all the reports. (3572,3)

In addition to reports on jurors, I did receive other reports or papers from Platt, and their general character was all manner of correspondence to Burns and from Burns; code telegrams; all of the reports that he had obtained; in fact I received copies of every report obtained by the prosecution on the 1908 panel; all special copies; I received telegrams of all descriptions, code telegrams and telegrams without the cipher; I received reports from his operators, copies of all reports from his operators, of their investigations; I received telegrams relating to his son's movements while after Schmitz from here to New York and New York to London and back, and I received

[illegible]



copies of reports of his son George while on Tveitmoes, and copies of his reports while after Detweiler, and a host of others; I can identify them all if they are shown me. (3573,4)

Among the papers that I received from Platt, there was a letter from Leach to Burns from Wash. D. C.; when I received that letter among other correspondence and reports that I had then obtained from Platt, I made copies as usual of them all and submitted the copies to Abbott; two or three days later he spoke to me about this letter written by Leach, and said to me "I would like very much to obtain Burns' letter to Leach, and you can authorize or tell Platt for me that if he will find that letter of Burns I will give him \$25 as an incentive to search for it;" I think the letter wanted by Abbott was dated April, or May, 1907, but I could not give you the date that that occurred; after a few days Platt procured the copy of the letter from Burns to Leach and handed it to me and I gave it to Abbott, but I don't think the \$25 was given to me, in fact I am sure that it was not given to me then; in answer to your question if the \$25 was given to Platt at any time in my presence I say, I could not say, not in my presence, I don't know. (3574-6)

The way I made payments to Platt while he was working under me was he would 'phone me and tell me where he would meet me, and I would then meet him there and hand him the money in gold, and it was at saloons mostly. (3577)

In my reports to Abbott, we called Platt No. 22. (3577)

While I was in the employ of the U. R., my pay was \$10 a day and all expenses. (3577)

Pursuant to that talk with Calhoun, when he told me I could hire autos, what I did was to hire a Thomas Flyer; had a relay of men; first four men, and I had instructions to cover Burns day and night, from the time he left home in the morning, until he returned to remain for the night; first rented the Thomas Flyer, I think, from the Pioneer Auto Garage Co., Johnson and Lowry; subsequently bought a machine myself, and rented it to the railroad; I cannot recall when I bought it, but I had not rented a machine more than a month or a little longer before I bought it; what I was paid as rent for the machine that I owned would run close to a thousand dollars a month, and that was paid by Abbott, and I gave vouchers for that; I submitted a voucher for all expenses incurred by myself and men I employed to Abbott in itemized form, the auto included among the other expenses; the bill was made out to Abbott. (3577,8)

The four men whom I first put into the auto to follow Burns were Henry Nelson, John R. Hayes, Middlemiss, and Zobler; I could not say positively the date I first put them in the auto to follow Burns, it was shortly after I quit the use of the motorcycles; the motorcycle men were Ollie Hooper and Ed Curran; Nelson while working for me did not go by any other name, not until the time he was arrested, and Nelson told me that previous to entering my employ he had worked for other agencies in the city. (3578)

The four of those men did not go in the machine together; I started out two of them and the others to relieve them, and that continued until the time that they began to arrest the men, and then I had to put relays in the machine, and as fast as they would arrest them I would put in others, and there were a great number of them and I cannot recall the names of all of them; there was Dell Murphy, and a man named Stewart, and Bell, and Kornfeld, and others, but I don't recall the names, as it was only a short time that they were used; Bell had formerly worked for Burns; Dell Murphy was the ex-prize-fighter, but I

[illegible]



don't know if he was also an ex-convict.

(3579)

These men made daily reports to me in writing of their following Burns, and I submitted those reports to Abbott every day at his office on Oak and Broderick and at McEnerney's office, and any other place that I was instructed to meet him. (3579)

Q. Did you have any or further talk with Mr. Calhoun about this matter? A. I did not. (3579)

I left the city September 1st, 1908, and returned on November 10th, 1908. (3580)

From the time I entered the employ of the U. R. on May 3, 1907, to the time I resigned from the railroad on August 31, 1908, I had not met Mr. Burns to talk with him or any other of the prosecution, I mean Mr. Burns or any of the counsel engaged in the prosecution. (3580)

When I returned to the city in November, 1908, I met Burns and Langdon at the latter's residence on Bush street on the night of November 11, 1908, and at that time I entered the employ of Burns after a conversation. (3580)

Following that date, November 11, 1908, I continued to work for Burns until February 14, 1909. (3581)

After I went to work for Burns on November 11, 1908, I did have talk with Abbott and this was on November 17th, 1908, in his offices in the carbarn at Oak and Broderick and no one else was present, and that conversation was on the matter of my employment to reenter the service of the railroad; I again went to work for him under instruction of Mr. Burns, and continued to work for him under that employment until February 14, 1909, and the compensation as agreed upon then with Mr. Abbott was \$200 a month and expenses. (3582,3)

At the time I re-entered the service of Abbott in November, 1908, my talk with Abbott as regards my duties was that he told me that the prosecution was trying to get Platt before the grand jury, and that he wanted that I should, if possible, get Platt to make an affidavit before a notary public to the effect that he had left the railroad before the prosecution went under the office of the district attorney; and in reply to that I told Abbott I would talk with Platt and see what I could do; and following that I did have a talk with Platt. (3584)

I don't recall just where that talk with Platt occurred, yes, I met him at the Hotel Mira Monte, 25th and Mission streets, at which I was stopping, and no one else was present, and the talk was that I repeated the conversation that had taken place between Abbott and myself and told what was wanted and told him that Abbott wanted him to appear before a notary public and swear to an affidavit to the effect that he had left the employ of the U. R. sometime in July, or, before the office, or, rather, the prosecution had gone into the district attorney's office, sometime in July, 1908; and Platt said, "Well, when you left here on August 31st and transferred me to Mr. Abbott I still worked for him and he paid me on two occasions in the Flood Building, once one hundred dollars, and once one hundred twenty-five dollars,"--I understand that your question covers matter that I reported back to Abbott-- and Platt said further "But if Mr. Abbott wishes this done I will do it." I then returned to Abbott and told him what Platt had said, and he then sketched out a form of affidavit which he handed me and requested that I typewrite it. (3588-90)

In telling Abbott what Platt had said, I said to Abbott "I met Platt and talked with him concerning this affidavit you desire, but he says you paid him on two occasions in the Flood Building", and Abbott said "Well, I don't care what he

[illegible]



he says, it is not true," and he said "Will he sign the affidavit?" and I said "He will;" he then sketched out a form of affidavit that he desired in which he stated that Platt had left the service of the U. R. in July, the former or the latter part of July, I don't recall which, 1908, and that he had never at any time accepted money from Abbott, or any other representative of the U. R. from the time that the prosecution went into the office of the district attorney's office; he then handed me that sketch of affidavits, and requested that I type-write it and hand it to Platt and see that he would have it sworn to; I did so, I met Platt at my hotel again, the Mira Monte, and took him, or rather I accompanied him before a notary public on Mission street; this is the same paper I referred to yesterday; and I accompanied him before a notary public named W. A. Brace, at 2589 Mission street, and Mr. Platt swore to both the original and the duplicate before the notary public, and handed them to me, and I gave them to Mr. Abbott. (3590,1)

My next talk with Abbott about Platt was not long after that when he informed me that the prosecution was after Platt to bring him before the Grand Jury, and the matter was discussed whether or not he would be safe, whether or not Platt could be depended upon, and I told him that I did not think Platt of such a nature that he could be depended upon not to stand by the railroad, and it was then decided that Platt should be sent away, and the decision was that he should leave the city and go away; that was decided by Abbott (last five words stricken out.) What Abbott said was "What is best to be done in this matter", and we discussed it and he said "Well, we will send him out of the city, and the next day he handed me five hundred dollars, which he still owed me from my accounts with the railroad, and requested that I give two hundred dollars of that to Platt, which was still due him for services rendered, and told me to see that Platt got away; he did not say what period of service it was that the two hundred dollars was still due to Platt for, I was given to understand by Abbott that this was not in compensation for services rendered; that this two hundred dollars was for expense money which he might incur while on this trip out of the city. (3591,2)

I met Platt and accompanied him across the Bay and I saw him on the train, he purchased a ticket for Ukiah; I gave the two hundred dollars to Platt, and accepted his receipt, which I handed back to Abbott; nobody went with Platt, not then. (3592,3)

I returned to the city on the same day, and on the following morning I met Platt's wife at the residence of her father, Zellerbach, and I accompanied her across the Bay and went with her as far as Willetts, where she joined her husband, or rather her husband came down from Willitts to Ukiah, and we all continued on to Willitts; I returned on the following day. (3593)

I reported to Abbott, and told him what I had done, and where Platt had gone; Platt was enroute to my home, they thought that a safe place in the mountains; he went as far as Laytonville; he called me up at that place and told me he had arrived that far, and Mrs. Platt had gotten ill and could not continue, he remained there at Laytonville for about two weeks, and kept constantly in touch with me by telephone; I told him he might return to the city at the end of two weeks. (3593)

I did report back to Abbott after having that telephone talk and told him where Platt had gone and what had happened. (3594)





I next saw Platt when he returned to the city about two weeks later. (3594)

I don't remember whether this talk took place before Platt left, or when he returned, but after I had given Abbott this affidavit referred to as regards his severing connection with the U. R., Mr. Abbott met me again and said "This affidavit is not what I want, I find that Burns and his staff did not go into the office of the district attorney until the month of August sometime, therefore I want you to go after Platt again before a notary and swear to the same affidavit with the exception that he had left the service of the railroad in August; from July to August;" the first affidavit was to the effect that he had left in July, the second affidavit was that he had remained at the Railroad until August; what I did about that was I again went before the same notary and Platt swore to a second affidavit and I handed that second affidavit to Abbott in duplicate. (3594)

I quit the employ of the railroad, or of Mr. Abbott on that second occasion, under this second employment, on February 14, 1909; and I then went back to my home at Ruth, Trinity County, Cal., and I remained there until April 10th, 1909, when I again arrived in the city, and I remained in the city on that trip until I left again on April 14, 1909; while I was here on that occasion, I did not see Mr. Abbott, but I did see Mr. Burns; on that occasion, when I came down in April, I had been subpoenaed by Officer Goff, and another detective or agent from the district attorney's office accompanying him, and they came down with me; on that trip, while I was here in San Francisco, I did not see anybody who was connected with the U. R.; I arrived here on the 10th, and I think I left on the 14th, I think it was about the 3rd of April that Goff and that agent arrived at my home and subpoenaed me to appear; I was subpoenaed to appear in a case in the police court which was called, I think, for the 9th of April, and I appeared here under subpoena and went to officer Goff's house, where I remained until the 14th, not being called in any case. (3594-6)

Q. What was the case in the police court in which you were subpoenaed? A. The case, if I recall it, was People v. Handlon-- it was in reference to the seizure of papers from Mr. Calhoun's office. (Answer stricken out.) A subpoena, or a form of subpoena, was delivered to me at the time I was subpoenaed, and I have it in my suitcase. (3597)

In my examination of yesterday, I mentioned having turned over my reports and so forth on the 31st of August; I find that on about the 5th of August I went to Santa Cruz; it must have been between-- in among those dates; but I remained in the service of the railroad until the 31st of August; that is a matter of dates, that is all. Q. Your present statement is that the reports were delivered somewhere between the 5th and the 31st of August, 1908? A. Yes sir, in the early part of August. (3598)

When I returned to Trinity County on April 14, 1908, I did not arrive home until a little after midnight of the 17th; I left here on the 14th; Officer Goff and an agent from the district attorney's office accompanied me back home; I believe the other man's name was H. Lovensen. (3598,9)

I know Attorney Hugh O'Niell, and have known him from the time that I first opened up a detective agency here before the fire; he was practicing law here. I know his brother John O'Niell for the same length of time. After I returned to Trinity County in April, 1909, I saw John O'Niell there on the

Trinity County in April, 1909, I saw John O'Neill there on the time. He was practicing law here. I know his brother John O'Neill for the same length of time. After I returned to Trinity County in April, 1909, I saw John O'Neill there on the time last. I first cleaned up a letter vs agency here before the time last. I had Attorney Hugh O'Neill and have known him for the the other men's name was A. L. Lumsden. (3399) I believe that attorney's office accompanied me back home; I believe I left here on the 14th; Officer Lott and an agent from the did not arrive home until a little after midnight of the 14th. When I returned to Trinity County on April 14, 1909, I August. (3398) that the reports were delivered somewhere between the 2nd and matter of dates, that is all. A. Your present statement is service of the railroad until the 1st of August. That is a that on about the 2nd of August I went to Santa Cruz; it must over my reports and so forth on the 1st of August; I find my examination of yesterday. I mentioned having turned I have it in my suitcase. (3397) subpoena was delivered to me at the time I was subpoenaed, and officer. Answer struck out. A subpoena, or a form of it was in reference to the seizure of papers from Mr. Calhoun's subpoenaed. A. The case. If I recall it, was People v. Hamilton. (3396) What was the case in the police court in which you were called in my case. officer O'Neill's house, where I remained until the 14th, not being 2nd of April, and I appeared here under subpoena and went to a case in the police court which was called, I think, on the name and subpoena me to appear; I was subpoenaed to appear in about the 1st of April that day and that agent arrived at my on the 10th, and I think I left on the 14th. I think it was not see O'Neill, who was connected with the U. S.; I arrived here with me; on that day, while I was here in Santa Cruz, I did that attorney's office accompanying him, and they came down by Officer Lott, and another detective or agent from the 5th that case, when I came down in April. I had been subpoenaed, I did not see Mr. Abbott, but I did see Mr. Burns; on occasion, I left again on April 14, 1909. While I was here on that until I left again on April 14, 1909. I remained in the city on that trip Cal., and I remained there until April 1909, when I again 1909; and I then went back to my home at Trinity County, second occasion, under this second subpoena, on February 14, I put the matter of the railroad, or of Mr. Abbott on that and I stated that second affidavit to Abbott in duplicate. (3395) went before the same notary and that sworn to a second affidavit at the railroad until August; what I did about that was I again had left in 1909, the second affidavit was that he had remained truly to August. The first affidavit was to the effect that he that he had left the service of the railroad in August; from a notary and sworn to the same affidavit with the exception sometime, therefore I want you to go after that again before the office of the district attorney until the month of August not west I want, I find that Burns and his staff did not go into the U. S. Mr. Abbott had an agent "John O'Neill" is affidavit referred to as regards his serving connection with left, or when he returned, but after I had given about that I don't remember whether this talk took place before that weeks later. (3394)



17th of April, but never before that; it was at my home, and he remained there over night and left the following morning, and I have seen him since, and it was at his office in San Francisco, the same office with Hugh O'Niell, and it was on the day before yesterday. (3599,3600)

Upon arriving at Trinity on April 17th, I remained there until the 8th of May, 1909, and I left home that day. (3600)

Q. Before leaving there, did anybody serve you with a subpoena? A. Officer Goff. Q. On what date did he serve you with it? A. Do you mean the second subpoena? Q. Yes. A. I never was served with a second subpoena. (3600)

I know Winfield S. Lamb, he resides at Rhonerville, Humboldt County, and in Trinity County also, and his business is rancher and cattleman. (3600)

I know John McClellan, and he resides at Bridgeville, Humboldt County, and is State Assemblyman and rancher. (3600)

I saw Lamb and McClellan at my home in Trinity County at a time between April 17, 1909 and the date that I started for San Francisco on this last occasion on May 8, 1909. I met Lamb and McClellan on the evening of April 28th; they came to my home and stopped there over night and left the next morning. (3600,1)

I left my ranch to come down here this time on May 8th; I rode on my horse to Bridgeville from my home, and staged from there to Blocksburg, and on through to Willitts, and from Willitts I came down here on the train; Harris is one of the stage stations between Laytonville and Blocksburg; I was at Harris on the way down here on May 9th, the following day after I left home, and that was a Sunday, and while I was there I had a talk over the 'phone with Lamb, the gentleman who is here in the courtroom, and whom I was receiving the 'phone message from Lamb, Goff and H. Lorensen were present. (3601,2)

I was on the train from Willitts to San Francisco on Monday the 10th of May and Goff and Lorensen were still with me and while I was on the train that day a telegram came addressed to the conductor and signed by Zook, and the conductor by mistake handed it to Goff, and Goff handed it to me, and that paper, People's Exhibit G for Identification is it, and May 10th is the date on which I saw it first. (3602,3)

I do not know an attorney named Monroe. (3603)

When the train reached San Rafael, Frank Murphy, accompanied by another man, boarded the train, and I had a talk with Murphy and Goff and Lorensen were present; Murphy shook hands with me when he met me on the train, and talked with me on the ferry boat all the way across to the city; when he boarded the train he sat two seats behind me, and on the ferryboat he talked with me as much as he could. (Last five words stricken out.) When he talked with me on the boat, Goff and Lorensen were right alongside of me and Murphy was immediately behind me. (3603,4)

When the ferryboat arrived at San Francisco, as I came off I saw Hugh O'Niell, brother of the man John O'Niell, whom I had seen in Trinity County, and he talked with me, and Goff and Lorensen were present at the time. (3604)

I was originally employed by Hoeffler, and he is an attorney formerly of the firm of Bishop, Wheeler and Hoeffler, but I don't know if that was Charles S. Wheeler, but that was the firm name; I was in his employ about three months. I have followed the detective business for the last seven years. I had been in the United States secret service about two years, and I was working there at the time Burns was, and knew him while I

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was working for the government, but not very well, I had not occasion to work with him very many times, in fact only once, but I knew him generally as men in the same line of business know each other; I was not at all familiar with his cases, or what he had done, not in a general way. (3604,5)

While I was working for Hoeffler, I reported to him, sometimes verbally and sometimes in writing; I had two men working with me from the Maguirre-White Detective Agency. (3605,6)

Before the fire, I had a detective agency in the city, and advertised myself as such, and it was for the employment of such persons as desired to secure the services of an honorable detective in criminal cases; Mr. Hoeffler sent for me in the Yoell will contest that was then held in this city, and retained me to work in that, and myself and a number of men did so; it was quite sometime after I had stopped working in the Yoell will contest that I concluded I would go to work in the matter of the graft prosecution. It was decidedly at Hoeffler's suggestion that I took employment in the graft matters. (3606)

Q. That continued up until about what time? A. That I worked for Mr. Hoeffler, you mean? Q. Yes, I want you to fix that with respect to any event, Mr. Helms. Was it during the first Ford case? A. It was. (3606,7)

The trial of Ford was proceeding in the Temple Israel; in answer to your question if I had been working for Hoeffler and reporting to him, I say not then; I received a wire from Hoeffler on May 3, 1907, on an important case; I came to the city and arrived here three or four days later, and I then reported to him; there was nothing on then generally; my duties then were to try to get into the service of Burns; that was my instruction and to ascertain all I could; and to learn all the prosecution was doing and report the same to him; to go to the ex-supervisor, Sanderson, and find out all I could-- you asked me my duties generally, and I am telling you, sir; I tell you that I reported to Hoeffler about three months; after that I reported to Abbott. (3607)

After I reported to Hoeffler about three months, that carried me up to, we would say, May, June, July, and August-- I don't care to fix dates specifically, because I am not certain about dates; I worked for him about three months, and then reported to Abbott; beginning in May, that would bring it into August. I did say yesterday it was during the first Ford case that I took up my connection with Abbott, and that is it; I said yesterday I worked for Hoeffler about three months, after which I was transferred to Abbott, and was present in the courtroom during the first Ford trial. (3608)

When I first reported to Abbott I was not instructed to take motorcycles and follow Burns, that came afterwards; I first reported to Abbott, and I was given general duties; looking up jurors, etc. I had men working under me at that time; the motorcycle affair came later, I am not willing to fix the time within an hour or a day, or a week; the motorcycle affair came in during the Ford trial; up to that time I had been doing the duty of investigating jurors, and one thing and another of that sort; I do not recall that I suggested the motorcycle business; I was not a motorcycle rider myself; I did ride one and busted my head the first time; it was Hooper and Curran that followed Burns with the motorcycles; Burns had an automobile, and these motorcycles were to follow it; I guess a motorcycle goes some, and makes a slight coughing, or something, and I have heard them some few times, and I would expect a man like Burns to





detect them. After a bit it was discovered that it would be necessary to have an auto follow Burns, and the first time I had a White Steamer for one day, and then I had a Thomas Flyer; those motorcycles were employed during the first Ford case, and I was requested to have Burns followed and see what he did. (3608-11)

I don't recall whether or not the time that the order was given me to follow Burns was the very day when Borton testified in the first Ford case that Burns had told him to commit perjury. (3611)

How it came about that I put those motorcycles on was that Tom Gibson came down and told me that Calhoun told him to get a couple of motorcycles to follow Burns, and he asked me if I would do it, and I told him I would see, and I then spoke to Abbott about it before I would take any action in the matter, and Abbott said "Whatever Mr. Calhoun says do by all means", and I then engaged the motorcycles, and that occurred while the first Ford case was being tried in the Temple Israel, but I don't remember if it was while evidence was being taken. (3612)

I had never talked with Abbott or anybody connected with the U. R. as to Burns' record, or what Burns had done, nor made some statements about it; I did not tell Abbott at that very time or at all, that I knew of a case of counterfeiting in which Burns had actually put the counterfeited money into a man's pocket that he wanted to get, and I did not tell Abbott that it was one of Burns' methods to get somebody into someone else's employ whom he was trying to get, and I did not speak to Abbott about the way Burns had gotten men into the employ of those he was after up in Oregon because I am not conversant with the Oregon case. I am not explaining the methods of the United States secret service, and in answer to your question if I know what they are, I say I am not explaining them, and I did not tell Abbott that the secret service men were opening other people's mail right along. (3612,13)

Q. Didn't you make the statement that one of the favorite methods of the U. S.S. service was to look at another man's mail, and didn't you say "I don't see why they shouldn't get it when they are giving it to us." A. I don't recall having made any such statement as that. (3613)

I was in the secret service once and I know their methods, but I don't know of the action of congress. (3614)

Q. Who was it that first suggested the employment of Platt? A. I told Abbott about Platt....I told Abbott that Platt had been or was in the employ of Burns, and that I thought I could get him to work for the railroad. Q. And did Mr. Abbott say "Well, what can he do"? A. I cannot recall exactly what Abbott said. I did say yesterday, "I told Abbott that Platt was working for the prosecution, and I thought that I could get him to work for me, or rather for the U. R.; and he asked me what he could do and I told him how I thought I could use him", and that is correct, every word of it. I bore in mind the fact that the U. R. wanted in the worst way to get someone in the employ of Burns. (3614,15)

Abbott did not tell me that Burns had at least a dozen men ostensibly in our employ before that who were really reporting to him. (3615)

Q. Well, Mr. Helms, a man of your astuteness, and knowing the situation as you saw it then, you knew that Burns had a lot of his men working for us, ostensibly, didn't you, who were reporting to him? A. You bet I did, and I knew that you had men working on his side, too. Q. It was a case of dog eat

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dog? A. That is exactly it, and that is why I ate dog myself.  
Q. And do you know how many men Burns had working ostensibly along in those days? A. No sir, I do not. Q. But you are pretty sure he had a lot of them? A. I just surmised. Q. When you said, "You bet I did", you mean that this is a safe gambling proposition? A. You have the idea. (3615)

I tried hard to find out how many men he had working for him in those days, and I found out some, but I couldn't find as to how many were working for Burns, and I am not going to say how many I really found; I don't feel safe to answer the question; I couldn't say whether it was ten or a hundred; I don't think it was a whole lot nearer one hundred than ten, and I won't say that it would be about thirty-seven. (3616)

When I undertook to get information from Platt, my statement of it yesterday was that he gave me copies of reports on jurors; that is to say, talesmen would be called into the case to be examined, they would look them up through their men-- Burns would-- and Platt gave me a copy of what they reported, that is Burns' men's reports on these jurors; if a juror was reported as C. K. and A-I first-class by the prosecution, Platt would tell me that, and the defense would get it; so that the defense would know what a juror's real sentiments were as well as the prosecution would; the fact is this, if you want me to explain it, the defense would not only receive the reports from the men employed by the railroad and the men employed in the office, but they would receive the reports obtained by the prosecution, and they had double reports on every hand, and sometimes tripple. I don't remember the report on a man named J. D. Arthur. I simply handed my reports to Abbott, and he could in turn hand them to whom he pleased, and I had nothing to do with that; my duty was through when I got the reports and handed them to Abbott. (3617,18)

I kept a copy of those jury reports myself; that is to say when Platt furnished me a jury report--by that I mean upon the state of mind as near as it could be ascertained of a prospective juror-- I furnished a copy to Abbott and kept one myself; those duplicates were made in my office and by myself, and on occasions other people would make them, but I would make them myself as much as possible; then again I had Miss Harper, a public stenographer employed, recommended by Mr. Abbott, and she and some of her girls would come down there and strike off those reports for me; they were stricken off first on white paper, and then again on yellow paper, second sheet paper-- by yellow second sheet paper I mean unruled, yellow paper. (3618)

The reports would be brought to me, sometimes fifty, one hundred, and one hundred fifty at a time; Platt would insist that I return them as soon as possible in order that he might return them to Burns' office; and those were what Abbott got, the copies made by me and Miss Harper and her assistants.  
Q. And the ones which Platt brought you were returned to him and he took them back to the office of Mr. Burns? A. In some cases. Now Mr. Abbott insisted in having any communication or report obtained by Mr. Platt in his own handwriting. Q. But I mean, of course, the jury reports? A. I must have also and he also insisted as much as possible, to have Platt report in his own handwriting the investigation, as he ascertained, on a juror, and any other communication he had to submit me. In some cases Platt would bring me these reports, and, as I say, would insist that I return them as soon as possible. In other cases after remaining in my office two or three days-- these reports I mean-- he would say, "Well, I don't think they are of any value; I will not return those; you may retain them, keep





them". These were the reports he handed me, and those I kept in my office among the reports that I myself had stricken off.

(3618,19)

Those communications were copied by the same source, Miss Harper or myself, and those copies were sent to Abbott; and that continued from the time I first spoke to Platt up until a time that I requested Platt to report to Abbott; that was in August, before I left the city.

(3620)

My communication with Platt ceased when I left the city to go to Santa Cruz until I returned again; I went away in the latter part of August; I left the city the first of September; I resigned from the railroad on the 31st of August; in answer to your question if I did not go away to San Jose sometime in July, I say I went on the 7th of August to Santa Cruz and San Jose, where I remained a couple of weeks, and turned the men then working under me over to Mr. Abbott and they reported to him at that time. Q. Approximately you did no work after the 7th of August up until you went away on the 1st of September? A. Until I paid my men and settled my accounts with the railroad ....I turned over these men to Abbott before I left for Santa Cruz, and I left for Santa Cruz on the 7th of August; I was still in the service of the railroad, however, but I was not working. Q. That is, you maintained your connection with the railroad, but did not do any work after the 7th of August until you went away? A. No sir, other than-- I do not recall whether I gave my reports, my files, before I left for Santa Cruz or after I returned.

(3620,1)

But I was absent from the city and not engaged in actual work. I left for my home on the 1st of September; went by steamer to Eureka; might have been "Topeka" or "Wilburn", but I don't remember the name of the steamer, nor the line, nor the number of the pier; I recall that Abbott and Luther Brown were present and they would know from what pier and boat and what time I left the city.

(3621,2)

I remained at Ruth, Trinity County, which is about 95 miles from Eureka, towards Tehama County, and I have a ranch there, and I remained on the ranch and I came back to the city in November, reaching here November 10th, and in answer to your question at whose request I returned, I answer at my own, as I had no solicitation from anyone.

(3622)

When I came back to the city on November 10th, I saw Burns and Langdon; I went to see Langdon at my own solicitation. I met Langdon and Burns at Langdon's house, and there entered into discussion, and then afterwards on same evening I entered into employment, and that was on the evening of the 11th, the day after I got here, that I entered into Burns' employment; the terms for Burns were \$10 a day and expenses.

(3622,3)

I was employed by the railroad six days after I had taken employment by Burns, and on the 17th; from Burns I went to Abbott and reported. Q. Did he send for you? A. I went to Mr. Abbott. Q. You went yourself? A. I did.

(3623)

I went to Abbott and was employed at my own solicitation, and I had then been employed by Burns about six days, and during those six days I had been working for Burns, and then I went back to Abbott and re-entered the employ of Abbott at the salary of two hundred dollars a month and expenses, and I remained ostensibly in Abbott's employment until February 14, 1909; then I remained steadily at work for them; I did not have any men under me during those times, I was as an individual, not as an agency; my agency had been closed; I gave up my office during





the time that the license was established here of \$500, and five thousand dollars a year, but I don't recall the month. I have no views to express as to whether the imposition of that license was at the instance of Burns to drive out those agencies. (3623,4)

I ceased working for the railroad on February 14, 1909, and I think I left the city on that date; and my employment with Burns ceased at that time; I did not receive a cent of money after February 14th, or any compensation; and I went up to my ranch. (3624)

When it was first that Goff and Lorensen and Mathaway appeared at my place was April 3 of this year. I ~~do~~ not mention "Mathaway", and I don't know the gentleman; There were three there, Goff, Lorensen, Billy Otts, who sits there alongside of Burns. (3624,5)

Those three gentlemen remained as my guests from April 2nd or 3rd and stayed at my ranch and paid their expenses; I have a hotel by the way besides the ranch, a mountain hotel, and I entertain guests as they appear and pay their way. It is the Hotel Ruth. We arrived back in the city on the 10th, I think. (3626)

Otts and Lorensen both came and went, that is they would go out every day when they pleased and returned at night; then I came down to the city; Goff is attached to the district attorney's office. (3626)

At the time of the first Ford, I knew that Burns was employed on the oppppsite side to me, by the Prosecution; by whom he was employed I then did not know, and I did not know at that time he was employed and paid by Spreckels. (3632)

When I employed Platt I knew he was merely one of the officers employed by Burns. (3632)

The two hundred dollars a month was a salary upon which Platt was employed; he was paid two hundred dollars a month and expenses; there was five hundred dollars due me from the railroad from an account that I had submitted before leaving the city; this five hundred dollars was paid me with the request that I would give two hundred of that five hundred dollars to Platt to bear his expenses to leave the city, and that I would be reimbursed by Abbott, and I was re-imbursed on the following day. (3632,3)

Mr. Platt did not go to my place at Ruth, but he went as far as Laytonville, and there his wife became ill and they stopped there about two weeks, and then returned to the city. (3633)

If I did say a while ago that that two hundred dollars was due Platt, I did not intend it to go that way. There was money due Platt which he had not received from the railroad, and it was something like three hundred and eighty-five, close on to four hundred dollars; and this two hundred dollars was given to me to hand to him with the distinct understanding that it was to be for his expenses only; that this was not compensation, or not in payment of his former bill against the railroad; that five hundred dollars was handed me in McEnerney's office by Abbott. (3633)

I had been in McEnerney's office before several times, I had met Calhoun there also, and I have met Mr. McEnerney also. In answer to your question if I met any of them after the time when I went into Burns' employ, I say I met Abbott right along but I don't recall who else I met, as I reported only to Abbott on this occasion. (3633,4)

[illegible]

1. The above information was obtained from the files of the FBI, New York City, and is being furnished to you for your information.

[illegible]

100-443887-100

1. The first part of the report, which is the most important, is the one that deals with the general situation of the country. It is a very good example of a report of this kind, and it is well worth reading. It is a very good example of a report of this kind, and it is well worth reading.

(3.6)  $\text{supp } \mathcal{F} \subset \text{supp } \mathcal{G}$  and  $\text{supp } \mathcal{G} \subset \text{supp } \mathcal{F}$  if and only if  $\mathcal{F} \cong \mathcal{G}$ .

1. The first of these is the fact that the majority of the population of the United States is now living in urban areas. This is a result of the process of urbanization, which has been going on since the beginning of the 20th century. The process of urbanization is the movement of people from rural areas to urban areas. This movement is caused by a number of factors, including the search for better living conditions, the desire for education and employment opportunities, and the attraction of urban areas by the concentration of industry and commerce. The result of this process is that the majority of the population now lives in cities and towns, which are becoming increasingly crowded and congested. This has led to a number of problems, including air pollution, traffic congestion, and the loss of open space. The second of the factors mentioned above is the fact that the majority of the population is now living in a more mobile society. This is a result of the development of the automobile and the airplane, which have made it possible for people to move from one place to another much more easily than in the past. This has led to a more mobile population, which is able to move from one place to another in search of better living conditions, education, and employment opportunities. The third of the factors mentioned above is the fact that the majority of the population is now living in a more educated society. This is a result of the development of the public school system, which has made it possible for a much larger number of people to receive an education than in the past. This has led to a more educated population, which is able to participate more fully in the economic and social life of the country. The fourth of the factors mentioned above is the fact that the majority of the population is now living in a more affluent society. This is a result of the development of the economy, which has made it possible for a much larger number of people to afford a higher standard of living than in the past. This has led to a more affluent population, which is able to participate more fully in the economic and social life of the country. The fifth of the factors mentioned above is the fact that the majority of the population is now living in a more diverse society. This is a result of the immigration of people from other parts of the world, which has made it possible for a much larger number of people to live in the United States than in the past. This has led to a more diverse population, which is able to participate more fully in the economic and social life of the country. The sixth of the factors mentioned above is the fact that the majority of the population is now living in a more technologically advanced society. This is a result of the development of science and technology, which has made it possible for a much larger number of people to live in a more technologically advanced society than in the past. This has led to a more technologically advanced population, which is able to participate more fully in the economic and social life of the country. The seventh of the factors mentioned above is the fact that the majority of the population is now living in a more environmentally conscious society. This is a result of the development of the environmental movement, which has made it possible for a much larger number of people to become concerned about the environment than in the past. This has led to a more environmentally conscious population, which is able to participate more fully in the economic and social life of the country. The eighth of the factors mentioned above is the fact that the majority of the population is now living in a more socially conscious society. This is a result of the development of the civil rights movement, which has made it possible for a much larger number of people to become concerned about social issues than in the past. This has led to a more socially conscious population, which is able to participate more fully in the economic and social life of the country. The ninth of the factors mentioned above is the fact that the majority of the population is now living in a more politically active society. This is a result of the development of the political system, which has made it possible for a much larger number of people to become involved in the political process than in the past. This has led to a more politically active population, which is able to participate more fully in the economic and social life of the country. The tenth of the factors mentioned above is the fact that the majority of the population is now living in a more culturally rich society. This is a result of the development of the arts and sciences, which has made it possible for a much larger number of people to live in a more culturally rich society than in the past. This has led to a more culturally rich population, which is able to participate more fully in the economic and social life of the country.

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After I went into Burns' employ on November 11th, I did not get any papers or copies of papers from Platt; when Burns had tightened his office up it was impossible to obtain any more information, either in writing or otherwise, and Platt voluntarily resigned from the railroad somewhere in the latter part of October or November. He told me when I returned. (What Platt told witness stricken out.) The only paper I received from Platt was this statement I spoke of, requested by Abbott and which I handed him. I got no papers from Burns office after I came back in November, nor copies nor anything else from Platt. I got papers from a man named Corbin, in the employ of Ruef. Q. I am asking you if you got any papers from Burns' office? A. I say yes, I did. Q. Out of Burns' office? A. Out of Burns office, yes sir. Q. You were then in the employ of Burns? A. I was, yes sir..... and I told him that I was getting those papers, and handed him copies of those papers. (3634,5)

The last payment I made to Platt myself was when I settled with him before I left the city in August. Q. You made him that last payment? A. The last payment coming from me for his services rendered to the railroad, the last money I handed him was when I sent him up to the country; that was not for his services rendered; it was for this particular trip;..... that was the last money I handed him, and the date was in the latter part of November, or the middle of December, 1908. I entered the employ of Burns on November 11th, and was in his employ until February 14th continuously. I don't know whether I made this payment of two hundred dollars before I entered the employ of Burns or after, and I will not answer one way or the other; I made it before I went north in September, before I went home; before I returned home-- not this last time, the former time; I made it before September 1st, I made it before I entered the employ of Burns, now that I recall it. It is not my best recollection that that would be in August sometime; I had Platt get back here in time to have his Christmas dinner, and that was in December, and he left the city in the latter part of November, or about the middle of December, 1908, and I made him this payment the day on which he left; I gave a receipt to Platt for the payment of two hundred dollars; if you produce that receipt you will find the day he left; I mean I gave Platt two hundred dollars and he handed me a receipt for the money, and that is the only way I could fix the date he left; I don't think I was in Burns' employ when I gave that money to Platt; I have the receipt; the receipt calls for December 7th, and if it calls for December 7th, I was then in the employ of Burns; If before November 11th, I was not in the employ of Burns. He was gone about two weeks, and got back about Christmas time, but I am not going to fix December 7th exactly as the time he went away, and I cannot fix it ~~up~~ approximately, and I did not say that he went away two weeks before Christmas, but I said that he returned about Christmas, and he was away about two weeks, and I gave him the money the day before he went away. Q. Well, then, that brings us back by calculation, does it not, to the first part of December, and you were in Burns' employ on the 11th of November? A. All right, granted..... I was in Burns' employ when I paid that money if it was after those dates mentioned. (3636-8)

I did say yesterday that I was in and out of the courtroom during the first Ford case, but I was not there during the time the testimony was being taken, I was outside most of the





time; if I was there at any time while the testimony was being heard, it was not for two or three minutes when I went to hand Mr. Abbott a note or Mr. Calhoun a note. (3638)

Q. You went into the courtroom and came up to where counsel were sitting and made your reports openly to them in the courtroom? A. I handed my reports in an envelope, in a sealed envelope. Q. You would go right up in the presence of the court? A. I would come up openly, I would hand my reports in an envelope to Mr. Abbott, or any of the counsel who happened to be there; in the event of Mr. Abbott's absence, I would hand them to whoever was there to receive them, Mr. Moore, Mr. Abbott, Mr. Calhoun, whoever might be there to take those reports. (3638)

I never went in the auto myself, and I never went with those men in the auto who were going about after Mr. Burns. (3638,9)

As Mr. Burns commenced to arrest these men, I would supply others to take their places; four were arrested; there were a number of men subpoenaed and tied up in the courtroom, and I had to put men in their places; when the men were following Burns to see what he was doing and to report where he went and what he saw, they would be subpoenaed as witnesses and held in attendance on the court so they could not follow Burns, but I never heard of any of them being put on the stand. When Burns found that somebody was following him around in the automobile he would subpoena them and the men would remain in attendance on the court. Abbott requested that I employ attorneys to represent these men and pay these attorneys myself, and I employed Attorney Mate Cogan and Peery, and I paid those men a retaining fee, and gave them the money necessary; they have not been tried yet, and they were arrested for following Burns shortly after they were put on, but I don't recall the time exactly. I talked with Rodgers after these men had been arrested, but I don't know exactly what case it was on trial when they were arrested, and I don't remember whether it was the second or third Ford case. They were arrested a little more than a year ago and the trial will be set shortly; I know that because I read it in the papers, one of the newspapers of San Francisco, I think the Examiner; that fact has not been communicated to me by counsel. (3639-41)

I took the memorandum from this notebook. (3643)

I do not remember that when I broke up my office and went away sundry of my papers were sent to me; when I broke up my office, every paper in relation to the U. R. I turned over to George Francis, secretary to Abbott, and he handed them to Abbott; I gave him my file, and all papers correspondence, reports, telegrams, and everything else; the other matter I destroyed, as I had no idea at all of entering into the detective business any longer. I should say it was about between the 5th and 7th of August that I turned those papers over to Francis; I went to Santa Cruz on the 7th on a two weeks vacation, Santa Cruz and San Jose, and I turned those papers over to Abbott before the 7th. Those papers that I turned over to Abbott, included every report I had obtained myself, and every report I had obtained from Platt; it included copies of the twenty-eight hundred reports obtained by the prosecution's agents it included all the reports obtained by men in my employ; it included all of the correspondence that I myself had written to Mr. Abbott, copies of correspondence I had obtained written to Mr. Burns, or people in his office, reports of his men submitted





to him, reports of all sorts, telegrams-- in fact everything relating to the U. R. that I had obtained from the prosecution I turned over to him. (3643,4)

I sat down the memoranda in that book within a few days, and not at all at the time the things happened; it is a notebook of 1909. (3769,3770)

I did not furnish to Burns a copy of the affidavits that Platt made. I wish to make a statement right there. Under no condition or at any time did I furnish any lawful evidence belonging to the railroad; I only furnished them information of people who were double-crossing; never at any time any reports on jurors or anything else that was lawful information to the railroad; (3770)

The affidavit was made shortly before he left to go up in the country in the month of November sometime, I think, and after I got back here on November 10th and entered Burns' employ on November 11th, I furnished Burns with information of Platt making the affidavit. (3770)

The railroad has a copy of that affidavit. (3773)

As I understand Mr. Rodgers he is asking me if this affidavit was made when I entered the employ of Burns or after I entered the employ of Burns. My answer is that the date of the affidavit will answer itself. If made after I entered Mr. Burns' employ it was at the request of Abbott and not Burns. I entered the employ of Burns on November 11th and on November 17th I went to the employment of the U. R. (3774)

The affidavit was made by Platt after I came back to the city on November 10th and after having been absent during the summer; I left September 1st and came back on November 10th and entered Burns employ on November 11th, and the affidavit was made after I got back on that occasion. I told Burns about it and I think I furnished him with a copy, but I have not seen that copy lately. (3774,5)

#### REDIRECT EXAMINATION.

I have refreshed my memory in regard to when the autos were first put after Burns and I did that last night, and Heney, Burns, Lorensen, Goff and Korngold were present and it was Heney's house and I refreshed my memory from newspapers and from notes taken from Korngold's book. (3775,6)

When it was that the automobiles were first put to following Mr. Burns was about April 29, 1908, when he returned from the East. (3776-8)

The conversation with Calhoun about the motorcycles about which I have spoken took place during the first Ford trial, the latter part of the first Ford trial, or the beginning of the second Ford trial. The automobiles were not put on at that time at once; the motorcycles ran for a considerable time, until the rainy season started in. (3778)

The men riding in the autos were first subpoenaed as witnesses on May 5th or 6th, 1908. (3779)

I remember the arrival of the Atlantic fleet, and I recall that the autos were following them but on that date they had lost him. I know that while Burns was in the East Gallagher's house was dynamited. I know that when he returned on April 29th, on the day that he was to return, Tom Gibson came to my office and I had a number of men go down in company with Gibson and watch for Burns when he got off the train, and I then had him followed by autos on that date; the White Steamer that I had engaged picked him up that night when he got in and followed him; the Thomas Flyer was put on sometime

[illegible]

1. The following information was obtained from the records of the Department of the Interior, Bureau of Land Management, regarding the land owned by the United States in the State of Nevada:

(b)(7)(F) The following information was obtained from a review of the records of the Department of the Interior, Bureau of Land Management, regarding the land in question:

[illegible]

I have reflected up and down the river  
and I find that I am still  
in the same old place.

1. The Commission has been informed that the Government of the United Kingdom has agreed to provide a grant of £100,000 to the United Nations Educational, Scientific and Cultural Organization (UNESCO) for the purpose of supporting the work of the International Commission on the History of the Americas (ICHA) in the field of research and publication.

[illegible]

1. I was born on 10/10/1910 in the village of ...  
2. I was educated at the ...  
3. I was married to ...  
4. I have three children ...  
5. I am currently living at ...  
6. I have been a member of ...  
7. I have worked for ...  
8. I have been a member of ...  
9. I have been a member of ...  
10. I have been a member of ...



after that, but I cannot say exactly how long. I only had the White Steamer on a day or two, and then I told Abbott that it was not giving service, and he told me that he would have to talk with Calhoun and see what he said about it and in a further talk, I was instructed to put the machine on and follow Burns everywhere he went and make note of every movement, and of whom he conversed with, and follow him day and night from the time he left his home in the morning until he returned home at night, and I continued that until the men were arrested. Korngold was working under me at that time. (3781-4)

After I saw Hugh O'Niell at the Ferry when I returned to the city on the last occasion, I did have a talk with him over the telephone, and I was then at Goff's residence. (3784)

Mr. Zobler, whom you now point out to me, is one of the men who was in my employ at the time the auto was following Burns, and he is one of the men whom I sent in the auto, and is one of the men who was arrested. (3784)

I gave Hugh O'Niell my telephone number at the Ferry, and I called him up by telephone first. I had more talk with him over the 'phone; I was at Goff's house at that time, and he was present when I called Hugh O'Niell up and he remained alongside of me at the 'phone. Afterwards Hugh O'Niell called me up on the same day and very shortly afterwards, and in the morning, I think. Where it was that I called up Hugh O'Niell was at Metson's office, he requested me to do so. Goff was present when O'Niell called me up and that was on the 11th of May, 1909, and Goff remained in the room on all occasions while I was talking to O'Niell. In one or two instances Lorenson was present only. I did have talk with Metson over the telephone since I arrived here on this trip. I called up Hugh O'Niell on a personal matter first, and then he called me up and requested that I call him up at Metson's office, which I did an hour or so later. On the second occasion when I had the telephone talk with O'Niell, I talked with Metson immediately after; I told O'Niell to call Metson to the 'phone and then I had a talk with Metson and Goff was present when I did so; I had never met Metson before, and I don't know Mr. Cook. (3785-7)

In answer to your question whether I received any information from Platt which helps me to fix the date at which the auto was first started following Burns, I say that shortly before Burns returned to the city on April 27, 1908, Platt met me and informed me that a woman had gone to Burns' office-- (stricken out.) I met Platt and he made a report to me, and I sent that report to Abbott by Korngold. (3787,8)

When it was that I was employed by Hoeffler in some will contest was in 1907, or 1906 before the fire, during the Yoell will contest; I had no connection with anyone except Hoeffler in the matter; I went to his office at that time, which was on Fulton and Fillmore streets. (3788)

I have the subpoena that was served on me the first time I came down here. (Produces it.) (3788,9)

I have seen Joseph Handlon, but I do not know him personally. I saw him on a number of occasions at the car barn of the U. R. (3791)

I never heard that Burns had put counterfeit money in any one's pocket. (3792)

I did not find out from Platt or from anything that Platt secured for me the name of any person who was working for the U. R. who was in the employ of Burns. (3792)

[illegible]



When I left here at the time I quit work for the U. R., Brown and Abbott both met me at the steamer; I had known Brown from the time of his connection with the U. R. during the first trial, in which he appeared, one of the Ford trials, and I saw him after that almost daily during the trial. After the trial I had never seen him except passing on the street; I never had any work that connected me with him in any way at all. Where it was I saw him during the trial was at the Temple Israel sitting among the counsel and the detectives of the U. R. I had heard that he was a former partner of Rodgers. (3792,3)

On the occasion when Brown and Abbott met me at the steamer what Abbott said was that he wanted to know if I would tell him what I knew about the dynamiting of Gallagher's home. (Stricken out). (3793)

I had met Stanley Moore before I resigned from the service; I had met him on a number of occasions at his office and in the courtroom and in the corridor adjoining the court. I had a talk with Stanley Moore in the presence of Abbott in regard to these autos that were following Burns, and what that discussion was was this: Stanley Moore said to me "You performed the best work ever rendered the U. R. by following that s.o.b. Burns". (3795,6)

William Barnes was employed by me with reference to the men, I think, with the automobiles being arrested, and I paid him and Abbott paid me; I paid the other attorneys whom I have mentioned retainer fees, and Abbott paid them to me; those are the only matters in which I employed attorneys. (3796)

Sometime after I first entered the employ of the railroad, I had a talk with Abbott in which Heney was mentioned, and during the course of that talk Abbott said to me "Someone ought to shoot that s.o.b. Heney." That was shortly after I had engaged myself with the railroad the first time. (3796,7)

Mr. Heney: Q. You stated that some of the reports which you received from Platt were originals, that is some of those-- or did you state that some of the original reports which Platt brought to you from Burns' office were left with you by Platt? A. They were not what one might call original reports. It seems to me that Burns had the same system that I have in my office, that is, he would make duplicate copies, the originals of those reports were retained, and it seems segregated from the copies. The copies were always where the men in the office could get hold of them in order to refer to them. The originals were always kept in some other place. He would bring these copies, never at any time bringing me the originals of these reports. The originals were always ready for court, or whenever the prosecution wanted them. In order to evade all conflict or any discovery, he would take these duplicates and bring them to me and I would strike off copies from them and return them to him. The only occasions on which I returned those were at two or three occasions that I recall he would bring me these papers from the office-- reports-- and after allowing them to remain there two or three days he would say "Well, I don't think it necessary to return them; you may keep them;" what I did with those which I kept was that I turned those with all other papers that I had reference to to the U. R. to Mr. Francis, and he to Mr. Abbott. Abbott sent Francis up there to get them at my home. Before Francis came there for them I had had a talk with Abbott about his getting them. About the 5th or 6th of August, 1909, there were subpoenas gotten out for myself and men working under me; under the instructions of Abbott I got them under cover and myself going away on the 7th of the month, and before going away I turned over these things to him; that I did not care to





have the house entered and the things taken out. I wanted them in the custody of Abbott; I told Abbott that subpoenas were out for my men and he then instructed me to get them under cover and to get under cover myself. I told Abbott that those subpoenas were for following Burns' auto with an auto. That is the case in which those men had been arrested. (3797-9)

I do remember what became of that Leach letter; as I stated before I gave Abbott that letter, and he said "This is important, I will keep it;" I brought the original letter, written by Mr. Leach to Mr. Abbott, and after reading it he said, "This is important; now if you can get Burns' letter to Leach in reference to this one, I authorize you to tell Platt that I will give him \$25". Now he took that original letter; I never got it back. Platt did bring me a copy of Burns' letter, and I gave that copy to Abbott also, and I never got it back. (3799)

#### RE-CROSS EXAMINATION.

I don't know that I am telling a lie when I say that I had a conversation with Stanley Moore about following Burns; I did have that conversation and Stanley Moore said to me exactly the words that I have uttered. (3799,3800)

I did know when I had my talk with O'Niell and Metson that there was a graphophone hitched onto the telephone taking the conversation and that is why I did not fall into your trap. (3801)

#### RE-RE-DIRECT EXAMINATION.

That conversation over the 'phone was that O'Niell called me up and said "Helms, I want to notify you that the railroad people will not pay you \$3000 for your testimony," and I said, "O'Niell, I want you to understand that I am not asking you for \$3000 for my testimony", and I said "You call Mr. Metson to the 'phone," and he did, and I said "Mr. Metson, I am not asking you for \$3000 for my testimony, I am going to tell the truth", and I said "For the benefit of your listeners, I want to inform you that I have been approached three times, twice at my home"-- I had received a telegram, I met Mr. O'Niell on this side of the city, all trying to get me to come to them. I said "When I get on the stand I will tell the truth and only the truth", and that is what I am trying to do. (3801)

While I was at Goff's house I saw two men hanging around there; I did not see anyone following me on the car going out to Goff's house but shortly after I arrived there I saw two men watching the house; I was being followed and every move was made note of. (Last statement stricken out.) I have had years of experience in noting shadowing and I observed closely what the men were doing whom I saw following me and they were watching me every time I would go out of the house and they had a station across from the house. Goff was with me during all of the times those men were following me; I did cause the arrest of some of those men but I don't recall the date. (3805-7)

I know a man by the name of Winnfield Lamb; know him personally about a year. I have lived three years in Trinity county. I am a mason.

I came to San Francisco in April of this year and I was subpoenaed at that time and I produce the subpoena, it was handed me at my home in Ruth, Trinity county, and I think it was on the 3d of April, 1909, by officer Goff; after receiving that paper I came to San Francisco but arrived here on the tenth of April. (Subpoena put in evidence; Peo. vs. Handlon.) Goff

[illegible]

1915-16

I have been thinking about you a great deal lately. I hope you are well and happy. I am still working hard, but I always find time to think of my friends.

Your friend,  
John Doe

[illegible]

While I was at Camp 10, I saw two men walking towards me from the direction of the camp. They were wearing dark clothing and had their faces covered. I did not see them again until they returned to the camp. I saw them again when they were walking away from the camp. I saw them again when they were walking away from the camp.

I have a great pleasure in having you as a guest and I hope you will have a very pleasant trip.

1. The first of these is the fact that the  
2. second of these is the fact that the  
3. third of these is the fact that the  
4. fourth of these is the fact that the  
5. fifth of these is the fact that the  
6. sixth of these is the fact that the  
7. seventh of these is the fact that the  
8. eighth of these is the fact that the  
9. ninth of these is the fact that the  
10. tenth of these is the fact that the



was with Harry Lorenson and Billy Otts at the time; Goff and the other two men remained at my place until I came down on the 10th; the delay in starting was because I was trying to get some conveyance and then they wanted to send a telephone into the city and I could not get some one to take care of my stock and my place; I did not object in any way to attending in answer to the subpoena and there was no force or compulsion used; on my arrival here I went to Goff's house; no one met me at the ferry on that occasion; I remained at Goff's house until I left this city on the 14th of April; while I was in the city I did not visit any person connected with the U. R. and I was not prevented in any way from doing so. While I was here on that occasion I did see Burns and Mr. Harrison of the district attorney's office. I saw Harrison at Goff's house and talked with him about what my testimony would be in the Handlon case if I were called as a witness, and I discussed with Burns what my evidence would be also in the Handlon case or in any case in which the matter became material and I made an affidavit covering the matters connected with this case as far as my recollection went at that time and I left that affidavit with Burns, I think, and it was free and voluntary; when I went back to Ruth, Mr. Goff and Lorenson accompanied me back and I left here on the 14th of April, 1909, and went home by boat to Eureka "City of Topeka" or "Kilborn." (4613-20)

On the boat going up I met Lamb but had no talk with him on the boat except a social chat. We left Eureka that same day that we arrived there, I think. (4620)

I got to the ranch first about midnight of April 16th and Gough and Lorenson got there on the following day early in the afternoon; nobody reached there or visited me before they got there; about a quarter to five on the afternoon of the 17th. John O'Niell arrived there and he stayed over night and left the following morning. When he came into the house Goff and Lorenson were at the back of the house and did not come into the room at any time while he was in there. (4621,2)

John O'Niell went away on the morning of the 18th of April. After that I did not see or hear of John O'Niell any further before I came to San Francisco. (4627)

After O'Niell had gone Lamb came there on the evening of April 28th and stayed over night and Goff and Lorenson were both there. McClellan was with Lamb but he had nothing to say. (4627,8)

I went out to the back and met both Lamb and McClellan; and Lamb finally said that he would stop and I got in the buggy and we got down to the middle of the river and he turned to me and said "Helms, are you a mason?" I said that I was and he said that he was a mason also and he said "I have a proposition to put to you but under no conditions than that you receive it as a mason." I said "What is your proposition?" And he said "I represent"-- rather, he said "I come from an attorney in Eureka". I said "What is that attorney's name?" He said "Mr. Munro," and he said "He told me to tell you to stand pat, don't testify, don't allow them to get you and they will stick by you until hell freezes over." McClellan had gotten out of the buggy and remained at the hotel; Lamb and I went to the the horses up. (4629)

After Lamb delivered his I said to him "You tell your man Munro to notify the people in San Francisco that I want three thousand dollars and I want it to be handed me by you and then I will not appear." In answer to your question if anything else





was said I reply that we talked generally about the cases and he was telling me that he would go down at once and see Munro about it and he would meet me in Eureka when I came through; he told me not to say anything to McClellan, that McClellan knew nothing about it and said he would see Munro and tell me what he said to him and would meet me in Eureka. When I said that we talked generally about the cases I mean about affairs that occurred here in the city after I had left; it was a general conversation and we talked about the cases generally, that is the cases that had been going on here, the graft cases and the activities on both sides; he said "You had better stick to the railroad, they will do the right thing by you," that was after I asked for this three thousand dollars. He said "If I were you I would stick by the railroad, they will do the right thing by you" and we discussed the matter of this trial. (4637,8)

After we had gone to the barn to put up the horses Lamb and I went back to the house and I then introduced Goff and Lorenson to him, and at supper we all sat down to the table together and we played cards during the evening; Lamb and McClellan left the following morning about eight o'clock; just before Lamb left when I was helping him to hitch up his horses he said "I will go down as soon as I can and see Mr. Munro and you will hear from me in Eureka and I will watch when you come through," and I told him I expected to go in most any day, leading him to think that I had not been into the city, he said he had heard of course, and all that sort of thing. Q. What did he say about having heard? A. No, wait, I am mistaken in that, because Lamb was with me on the boat when I returned from the city the first time in April; it was O'Niell whom I had told I had not been to the city. (4639)

After I had this talk with Lamb at the barn the first one, I did have a conversation with Goff in relation to that; in answer to your question how long it was after I had the talk with Lamb at the river and at the barn until I had the talk with Goff about the talk with Lamb, I say just as soon as I got back home again I made a motion to Goff to join me in the kitchen and he did so and I related to him then what the man had said. (THE COURT: Strike that part out.) It was after I got in the kitchen I had the talk with him. (4640,1)

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The first thing I noticed when I stepped out of the car was the cold, crisp air. It was a relief after the warm, stuffy interior. I looked up at the sky, which was a pale, hazy blue. The sun was just rising, and its light was soft and golden. I took a deep breath and felt a sense of peace. The world was quiet, and I was alone. I walked towards the horizon, feeling the ground beneath my feet. The air was cool, and the light was just what I needed. I felt a sense of freedom, a sense of being in the world. I was here, and I was alive. I was free.

I am unable to identify all those reports that I have picked out as having been delivered to me by Platt, since handing those reports into the Railroad learned they had another source in same way from Burns' office; could not identify any particular one because handed so many to Railroad, but identify them by initials; delivered reports of same general appearance and having those initials; picked out file nearest you as copies of those from Burns' office; yellow sheets lying on top legal cap size, lead pencil numbers, seem to be eight sheets, those are numbers by which those reports have been designated by clerk; the reports bearing the designation of the clerk, numbered in conformity with the numbers on these sheets, are the copies of reports which were from Burns' office, could not say if they are copies of originals as these are first sheets and I struck them off in carbon form; gave first sheet to A. and retained carbon myself. (Reports and list put in evidence.) (4836-48)

All those that you have in your hand, Mr. Rogers, are copies and those others are reports, some coming from my office, from men in my employ, connected with U. R., others I do not know anything about; others that are not initialed and they do not look like copies of reports as having come from Burns' office; some are initialed by the men who worked under me. (4849)

Some time after entered employ of U. R. and reported to A., had a talk with him about Rex Hamlin; we were discussing means of trying to get hold of information from Burns' office, and he said that Hamlin was the chief clerk and would be valuable man with access to all of the information desired and would be worth ten thousand dollars if they could land him. (4849,50)

Up to Sept. 1st, 1908, had no communication with Hamlin.

(4850)

After I went to work for Burns and after I went back to





employ of Railroad in Nov. of last year had a talk with A. about Hamlin in which I recalled previous talk and said I thought he could be gotten to work for the Railroad, and A. said "I don't want any such thing as that done at all; I want you to leave Hamlin alone. We can go to trial and win on the merits of the case alone without doing that sort of work," and I said "All right." (4850,1)

After that talk with A. I had a talk with Hamlin in Nov. or Dec. of same year and after this talk with Hamlin I did not have another talk with A. (4851)

Two or three days after the talk with Hamlin I had another talk with A. and A. then said "Helms, I understand that you have been talking with Hamlin, you have gone to see him," and he said he had heard it and I said "Yes, and further than that I have ascertained that he is working for the U. S. at two hundred dollars a month, he and McKinley." He denied it and said that it was news to him and I said that he was reporting to Luther Burns, and he said that he would see about it at once and stop all that sort of business if it was a fact and he again told me not to go near Hamlin; that was in the latter part of Nov. or beginning of Dec., 1908. (4852,3)

Did not meet Al. McKinley then but met him afterwards. (4853)

I told Burns I had seen Hamlin; Raymond Burns went out there with me near the house and saw me enter and after I came out I told him what took place inside. (4853)

About mid-day on the day after, or the night rather, that I had talked with Hamlin I had the first talk with Al. McKinley and no one went with me to see him; the same day or the day following my talk with McKinley I told Burns I had seen him. (4854)

While working for U. S. and while Platt was delivering

I have not yet received the letter I spoke of above. Yours,

4. How satisfied are you with the quality of life in your area?

Page 1 105th St. on E 104th St. about 1000 ft. from the corner of 105th St. and 106th St.

1891

... ..

A. 1010-1111-1212-1313-1414-1515-1616-1717-1818-1919-2020-2121-2222-2323-2424-2525-2626-2727-2828-2929-3030-3131-3232-3333-3434-3535-3636-3737-3838-3939-4040-4141-4242-4343-4444-4545-4646-4747-4848-4949-5050-5151-5252-5353-5454-5555-5656-5757-5858-5959-6060-6161-6262-6363-6464-6565-6666-6767-6868-6969-7070-7171-7272-7373-7474-7575-7676-7777-7878-7979-8080-8181-8282-8383-8484-8585-8686-8787-8888-8989-9090-9191-9292-9393-9494-9595-9696-9797-9898-9999-100100-101101-102102-103103-104104-105105-106106-107107-108108-109109-110110-111111-112112-113113-114114-115115-116116-117117-118118-119119-120120-121121-122122-123123-124124-125125-126126-127127-128128-129129-130130-131131-132132-133133-134134-135135-136136-137137-138138-139139-140140-141141-142142-143143-144144-145145-146146-147147-148148-149149-150150-151151-152152-153153-154154-155155-156156-157157-158158-159159-160160-161161-162162-163163-164164-165165-166166-167167-168168-169169-170170-171171-172172-173173-174174-175175-176176-177177-178178-179179-180180-181181-182182-183183-184184-185185-186186-187187-188188-189189-190190-191191-192192-193193-194194-195195-196196-197197-198198-199199-200200-201201-202202-203203-204204-205205-206206-207207-208208-209209-210210-211211-212212-213213-214214-215215-216216-217217-218218-219219-220220-221221-222222-223223-224224-225225-226226-227227-228228-229229-230230-231231-232232-233233-234234-235235-236236-237237-238238-239239-240240-241241-242242-243243-244244-245245-246246-247247-248248-249249-250250-251251-252252-253253-254254-255255-256256-257257-258258-259259-260260-261261-262262-263263-264264-265265-266266-267267-268268-269269-270270-271271-272272-273273-274274-275275-276276-277277-278278-279279-280280-281281-282282-283283-284284-285285-286286-287287-288288-289289-290290-291291-292292-293293-294294-295295-296296-297297-298298-299299-300300-301301-302302-303303-304304-305305-306306-307307-308308-309309-310310-311311-312312-313313-314314-315315-316316-317317-318318-319319-320320-321321-322322-323323-324324-325325-326326-327327-328328-329329-330330-331331-332332-333333-334334-335335-336336-337337-338338-339339-340340-341341-342342-343343-344344-345345-346346-347347-348348-349349-350350-351351-352352-353353-354354-355355-356356-357357-358358-359359-360360-361361-362362-363363-364364-365365-366366-367367-368368-369369-370370-371371-372372-373373-374374-375375-376376-377377-378378-379379-380380-381381-382382-383383-384384-385385-386386-387387-388388-389389-390390-391391-392392-393393-394394-395395-396396-397397-398398-399399-400400-401401-402402-403403-404404-405405-406406-407407-408408408-409409-410410-411411-412412-413413-414414-415415-416416-417417-418418418-419419-420420-421421-422422-423423-424424-425425-426426-427427-428428428-429429-430430-431431-432432-433433-434434-435435-436436-437437-438438438-439439-440440-441441-442442-443443-444444-445445-446446-447447-448448448-449449-450450-451451-452452-453453-454454-455455-456456-457457-458458458-459459-460460-461461-462462-463463-464464-465465-466466-467467-468468468-469469-470470-471471-472472-473473-474474-475475-476476-477477-478478478-479479-480480-481481-482482-483483-484484-485485-486486-487487-488488488-489489-490490-491491-492492-493493-494494-495495-496496-497497-498498-499499-500500-501501-502502-503503-504504-505505-506506-507507-508508508-509509-510510-511511-512512-513513-514514-515515-516516-517517-518518518-519519-520520-521521-522522-523523-524524-525525-526526-527527-528528528-529529-530530-531531-532532-533533-534534-535535-536536-537537-538538538-539539-540540-541541-542542-543543-544544-545545-546546-547547-548548548-549549-550550-551551-552552-553553-554554-555555-556556-557557-558558558-559559-560560-561561-562562-563563-564564-565565-566566-567567-568568568-569569-570570-571571-572572-573573-574574-575575-576576-577577-578578578-579579-580580-581581-582582-583583-584584-585585-586586-587587-588588588-589589-590590-591591-592592-593593-594594-595595-596596-597597-598598-599599-600600-601601-602602-603603-604604-605605-606606-607607-608608608-609609-610610-611611-61

THE UNIVERSITY OF CHICAGO PRESS

1941-1942

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West 77th Street, New York, N. Y. 10024

of the *Journal of the American Medical Association* (JAMA) and the *Journal of the American Psychiatric Association* (JAPA).

papers to me from Burns' office I had a talk with A. in which I told him that Platt said he would have to have some keys to get into Burns' cabinets and so forth, and A. told me that "We want all we can get, tell him to go ahead;" and he wanted a key to the safe and those cabinets, and rendered a bill for them which I submitted to A. and A. paid me; I paid Platt every month including all items that were incidental. (4854,5)

Q. Did you at any time in court during the first or second Ford trials, deliver any of these copies of reports which had been delivered to you by Platt as coming from Burns' office, to the attorneys for Mr. Ford, in the court room, while Mr. Patrick Calhoun was there? A. I did; and I also saw them use them; saw them used in the impanelment of the jury while I was sitting behind Calhoun and the attorneys for the defense; I saw Calhoun looking at them. In answer to your question if I heard any talk between Calhoun and any attorneys in relation to them, I say only to the effect that some times one attorney would hand him a paper or a report and he would look it over and then smile and talk it over, and I did not catch or try to catch the conversation. (4855,6)

#### CROSS EXAMINATION.

The impanelment in the second Ford trial was by these sheets right there and you know it, by those and by the white sheets A. had and distributed among you attorneys to get additional information. (4856,7)

Was made a mason in New York city and in Italy; Sylvan Grove No. 275 was the N. Y. lodge, 1898; not a master at that time and don't recall who he was; did not take all my degrees there but took three degrees there, a master mason; think Hackett was Worshipful Master; have my diploma at home, am now a member of that lodge in good standing but have taken no permit, that is,

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have taken those degrees in Italy; am a thirty-second degree Mason according to Italian laws; Livorno, Tuscany; 1898; speak Italian, French, German, Spanish and some Portuguese; Japanese and Chinese. At that time in Italy I was in the government service; entered U. S. Marine Corps in 1897 at Washington as a private marine and received some promotion; was sergeant of Marine on U. S. Ship Chicago; took higher degrees in Italy; ship was at Livorno; am a thirty-second degree Mason by Scottish Rites; have been recognized at every lodge in this country at which I called, N. Y. City; visited South America, Italy, England, China and a great many other places but don't think visited any lodge in U. S. outside of N. Y. City. I don't recall that in the Blue Lodge I have visited any lodge except my own in America; too busy to visit any lodges in San Francisco and did not. I visited no other lodge in N. Y. City outside of my own; except outside of America I have not been in any other Blue Lodge except my own, Sylvan Grove Lodge No. 275. Have not visited my own lodge since I left N. Y. to come out here; have not been at my home lodge since 1905. (4858-61)

Jewels and charms. (4861,2)

Sylvan Grove in good standing. (4862)

Wore charm of thirty-second degree Scottish Rite mason. (4862)

Took me three months in Italy to receive degrees. Upper degrees conferred on me by Ancient No. 1; gave me everything. (4863)

Some of those copies were made by stenographers sent me by Miss Harper, some by myself, some by Mrs. Helms and some by U. R. stenographer; recognize them by initials; will not venture to name the men unless you show me the initials. (4863,4)

What I turned over from my own office to A. in Aug., 1908, were copies of every report I had handed A., in addition to a



lot of original reports which were handed me by Platt and never asked for or returned to him again; they were separate from the file that I gave A. at the time that I turned over those reports; I don't find any of those in this package now.

(4865)

Those look like the reports I turned over to Francis. (4866)

I have a typewriter at my house and write my letters upon it occasionally and occasionally sign them on it; I recall that letter of Feb. 25, 1909, and it is my letter and I sent it to Hugh O'Neill.

(4866)

Matters in which Hugh O'Neill acted as attorney. (4867,8)

I notice the testimony given by me at page 3572 of this record, and I say by way of explanation that the originals that I made from the originals handed me by Platt I gave to Mr. A.; in some cases I might get them mixed and slip in a copy that I should have kept myself; the list that I have looked over here contains some reports made by my own men to me and submitted to the U. R. in the same manner as I submitted the others.

(4869,70)

Of those that have not been admitted in evidence, those which I do not recognize, and which I put to one side in the pile, a part of those I recognize as reports submitted by my own men to me, and some of them quite a number, I obtained by having a stenographer present during the Ruef examination of talesmen.

(4870,1)

That one marked C. F. McPhee is the report of J. F. McCarthy; "W. S. S." is Walter S. Schindler and "R. C. S." is Raymond Schindler. That one marked by the clerk No. 652 "Edward J. Hooper" contains a little statement concerning him and his leanings and qualifications and is signed by W. S. S. (4871,2)

These records show that the following information was obtained from the records of the Department of the Interior, Bureau of Land Management, on the date indicated in the following table:

1944

173001) ... I believe the testimony given by me at page 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 8

Having a photograph present during the last interview of  
and was to me, and some of them quite a number, I obtained a  
this, a part of those I recognized as persons mentioned in my  
which I do not recognize, and which I put to one side in the  
of them that have not been admitted in evidence. Thus

[illegible]



When those reports were first obtained Burns had not any filing cabinet but the reports were filed one on top of the other and put in alphabetical form; as they would go through them from A to Z, going over them again, they would insert those from later reports; I don't think Burns had a Yawman-Erbe file. (4872)

In answer to your calling to my attention my testimony at page 3797 of this record with reference to originals and so forth, I say that I wish to explain that as follows: Those copies were just as much originals in Burns office as the copies that were made. One copy was submitted to the Pres., and one copy was kept there for information, and the latter were the ones I received. If I had taken the original reports and kept them I could not possibly have kept Platt in that office as long as I did. (4872-4)

History as a mason. (4874-6)

U. S. government service; career generally. (4876-8)

#### REDIRECT EXAMINATION.

Declarations. (4878)

I remember receiving report from Platt which was delivered by me to A. relating to a man named Wilhelm and I reported it fully to A. on the same day that I got it; Platt after talking to me on the 'phone furnished me with written reports and after he gave me that report I took it personally and delivered it to A. and discussed it with him; details of the report on Wilhelm to A. I only had one talk with A. on the subject, only when Wilhelm was arrested and on this latter occasion I told him it was funny that this man would be arrested with bombs without dynamite in them and he did not seem to pay much attention to it. A. and I did talk about the fact that the

[illegible]

arrest of Wilhelm had been caused by Burns.

(4879-83)

Reached Bridgeville about midnight; Goff and Laurentzen went ahead of me and I saw them the moment I arrived; Marvel met me at once and said "They are expecting to hear from you," and I said "I will call them up at once;" Lamb had given me the number and I called up the wrong number; I telephoned to Burns office from Bridgeville.

(4883,4)

When I spoke about "original reports" being retained by Burns, it was my understanding from Platt that Burns had the same system as I had, that is, he would strike off two copies of every report that came in and the first of the two would be handed for the reference of the attorney and the second would be retained for the men investigating jurors; the original would be retained by Burns. As to original reports written out in the handwriting of the operators, in some cases, in two or three isolated cases, I gave handwritten reports of some of these operators to Mr. A. and he always insisted on Platt's reports being in his own handwriting. I never was in Burns office when any reports were turned in and never saw any original reports there; my information is from Platt; the Burns men would write out their reports in longhand and submit them to the stenographer and she would make a first and second copy thereof and then the handwritten report would be thrown away or thrown in the waste basket and in some instances I got those reports. In answer to your question if I had the originals delivered by the operators I say that in some isolated cases when Platt had explained to me that he got them from the waste paper basket I would attach them to the report in typewriting which I sent to A. but never at any time did I retain such

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even if they did - because you still go better & are more

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and sent to the city and state of New York, to the Department of Education, to be used in the same manner as the other books in the series.

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- 20 pages and 1 photo; information from a report dated 11/19/68

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the things I did not use to write *Red* & now I doubt



original handwriting report in my office but I sent those to A. The original reports made by my own operators to me in their own handwriting I invariably destroyed after they were written up and it was my understanding that the same system was followed in Burns' office, only under circumstances where the stenographer would fail to tear them up or simply crumple them in her own hand and throw them in the basket. (4884-7)

The handwritten reports submitted to the stenographer in Burns' office I have not referred to and did not refer to where I spoke in my examination by Rogers about originals; I meant the typewriting reports. (4889)

After Platt had been delivering reports to me for some time he told me that those duplicate typewritten reports were locked up so he could not get them without a key and he told me that lots of things he wanted to get access to were locked up and he asked me the manner in which he should go about it and get impressions of the keys and also that he had some made from one key of these various places and that was his way of getting in to get what he wanted. (4889)

I could not tell you whose signature there is to sheet number 260; the initials on 261 are Rex W. Hamlin and in 1902 he was employed in Burns' office in the capacity of his secretary but I have no independent recollection in reference to the report; I never received any reports from Hamlin through my office. (4890)

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Complete Testimony of Supervisor Wilson  
At the  
Calhoun Trial, (1436).









COMMITTEE MEMORANDUM

OF SUPERVISOR

WILSON

AT THE

CALIFORNIA TRIAL (1456).





TESTIMONY OF SUPERVISOR WILSON GIVEN AT THE CALKINS TRIAL #1436.



According to my recollection the trolley ordinance came up in the board for the first time on the day it was passed in 1906, May 14, 1906, and I was present at that meeting, and also when it was finally passed on May 31st, and I recollect that it was subsequently repealed in June. (1949)

Before the ordinance came in the board on May 14, 1906, I had a conversation with both A. and B. in relation to the ordinance and they took place after the fire. I could not exactly state the number of conversations I had with G. before the matter came up after the fire, but it was two or three, and the number I had with B. upon the same subject after the fire and before the matter came up in board was about two and the first conversation I had about the trolley matter was with G. and not with B. And on that occasion G. came up in the automobile with B. and the talk took place on the outside of Mowry Hall just around the corner and we stood there and talked prior to the board meeting that day, and that was about a week, I should judge, before May 14th, and G. then stated that he wanted me to get in touch with the members and see how they felt on the overhead trolley proposition, that they were negotiating with Mr. B. on the overhead trolley matter, and he wanted me to feel the board out and see how they felt on it-- that it would be coming through shortly, and I told him I would talk with the members and let him know how they felt in the matter; he was busy on some other matters that took up his attention; that took place near the Gentner Building place, which was on the corner, and we walked up Grove street and he spoke to me about it there. I first saw G. on that occasion as he came up in the automobile with B. and before we finished B. had left in the machine. (1949-50)

The next conversation between G. and myself occurred when I reported back to him that I had seen a good many of the supervisors and that they seemed favorably disposed, and that I thought it would be all right, that was just a day or two after the first conversation, but I cannot set the date or time, and it took place at Mowry Hall and no one else was present; the substance of it was I reported to him that they seemed favorable and that I thought the matter would be all right, and I don't recall any response he made or any further conversation. (1950)

My next and third conversation with G. was on May 14th at the gallery in Mowry Hall, no one else present, and that conversation was that I asked him if the amount, \$4,000, that some of the board had spoken to me about, was right, and he said, yes, that that was the amount that was to be allowed in the trolley matter, and I recall now that at the second conversation, or at a prior conversation, he told me the amount that I was to receive, that I was going to get more than the board, and at this conversation that it would be something about \$10,000, or probably more, that I was to receive; I think it was at the same conversation when he spoke to me about the amount for the board, to see the members of the board and see that it went through all right, that he made mention of the amount of \$10,000 for me; he was busy on some matters that day and said for me to





look after it, and I am now referring to the conversation that occurred in the gallery at Howry Hall, and that was on May 14th, and prior to the matter being passed to print. (1958,5)

Following that conversation with U. on the day the matter passed to print, I did see some of the members on that day before the matter came up for passage to print; some of them had spoken to me before I saw U. and then I reported back to some of them after I saw U.; the members I spoke to after I saw U. on that day were Furey and Hawlock, but I cannot recall any others. (1958)

After the ordinance was repealed in June, 1900, I received \$10,000 from U. in two payments; the first payment was made to me on the 1st of August in the main of the old city hall, and U. said that it was the first payment on the trolley matter; it was a large envelope and they were all small bills, one and two dollar bills, 5's and 10's and I think there were a few 20's. I would not be positive. It was all small currency. It was a very thick envelope, I remarked to him at the time, possibly three inches thick; it was mostly old currency and some of them were pasted together. I put that first payment in the safety deposit box at the Western National Bank; I counted the money in that first payment, and there was \$1000 in it. (1958-5)

The second payment on the trolley to me was \$5000 and was at Thompson's Restaurant and was by U. and was in an envelope, and it was a very small package, a small envelope, probably a half an inch thick; I think the envelope itself was of the same size as the envelope which contained the first payment, but the package was smaller. They were all \$100 bills in the second payment, and I deposited that with the California Safe Deposit and Trust Co. on August 5th. (1958,6)

I recognize that deposit tag, and it is in my handwriting, except the fifth list; that was the first account I opened with the U.S.N.B.Co. I filled out that tag on August 30, 1900, and gave it to the receiving teller with the \$5000 in currency which I had received from U. as the second payment in that matter; that is the \$5000 in \$100 bills, and the receiving teller counted it and put it to my credit; it was a new account, because I wanted to pay a note that had been due at the bank for thirty days, and I checked against it that same day. I left the deposit tag at the bank and they wrote the account in my book and I next saw this tag at the third Ford trial in 1900. (Deposit tag marked people's Ex. E, for identification.) (1956-9)

My first talk with U. about the trolley was at Howry Hall and there was no one else within hearing, and it was a week or ten days before the passage to print; and U. then stated that he was negotiating with the attorneys for the U. S. regarding the trolley matter, and they had submitted to him an overhead permit, and it included a number of franchises in it, and he had returned it to them to have the franchises eliminated and just include the overhead trolley permit, and in that way it would come through in two sections, and that the franchise matter would follow later; and he also said then that U. would see me later and give me the amounts that they decided on for the board and myself; whatever they arranged U. would let me know, that was all of the conversation. (1959)



My next and second conversation with R. on the subject was the day the matter was passed to print, and it was in the afternoon just shortly before the board met and was in the hall outside of the board room. I waited to talk with R. and he had just been talking to Borton and Duffy and he came over and spoke to me and they walked away and went into the board rooms, or something, but they were not within hearing; R. said then he expected the trolley permit would be at his office on his return, and he would send it down to the board room, and for me to present it and make a strong talk on it, and I told him I would look after it and see it went through all right; that is all I recall; I did not see R. again that day. Later on that afternoon I saw George Keane at the meeting near of the board, but it was not before the meeting; after the meeting was called to order I asked regarding the ordinance from Keane, but I cannot recall whether I saw the ordinance that afternoon after the board adjourned, or whether I saw it after it was passed to print. I don't recall seeing that paper "People's exhibit A. in evidence," the ordinance, on May 14, 1906; the ordinance was first mentioned in the board meeting on that day just before the board adjourned, when Keane read it; quite late in the afternoon, possibly half past five; we generally convened about three o'clock, and I had not seen that ordinance before Keane read it.

(1959-61)

#### CROSS EXAMINATION.

When R. asked me to make a strong talk on the trolley permit, I felt favorably disposed towards the trolley. From the fire to May 14th I possibly talked with some people regarding it; I don't recall the merchants talking about it at that time, but I know I was spoken to about it by the carmen. My firm were one of the first members of the Merchants' Association; before the fire I had talked with members of that association about the trolley; possibly after the fire I did talk with a great many people about it and expressed myself freely about it to them. As between the cable and the overhead system I preferred the latter. The conduit system is really all since I came to California, and I have never been East, and never have seen them operating the conduit system. I might have heard that they had the overhead trolley in the city of Glasgow, but I don't know as I had heard that there had been any discussion there with regard to the comparative merits of the overhead and the underground.

(1963, 8)

Upon looking at my grand jury testimony at page 68 I see I never saw it myself, but I heard they had it there; and I thought I said I had talked with men who had seen it operated there. I did testify before the grand jury as follows: "That in the overhead trolley I was in favor of a trolley system before I was ever supervisor, because in the city of Glasgow, that they had a conduit system, and the city of Edinburgh before Glasgow, electric system, probably, and they watched and the engineers in Glasgow and some of the engineers I met, they told me they were in favor of the overhead system, it was the cheapest to run, maintain, and with the electric lights on the poles, must be practical." That is what I have heard and I thought that is what I answered you. As between the cable system and the overhead trolley, I certainly favored the trolley system and when I was answering in the grand jury I was speaking as between the cable and the overhead trolley; I never knew it was a question







between the overhead trolley and the conduit system. They told me they had the underground conduit system in Edinburgh and they used the overhead in Glasgow. From the fire to May 14th, I personally talked with a good many people and there were a great many different views on the matter of the overhead as compared with other different methods; as to the engineers I spoke to, some favored one and some the other; I was in favor of a uniform system, and by that I mean the trolley, that is where a car might go right through without delay or change; and I did even favor Market street as being included in a portion of the overhead trolley system. I realized that most of the cars would not come into Market street, and that if a uniform system was to be had and there were not to be any more changes from line to line that were necessary, or delays incident to the change in the motive power, that the overhead trolley system would have to prevail on Market street as well as in the remaining portions of the city, and as to your question if this is what I favored, I say I heard it discussed that they should change from the conduit to the overhead, that they were doing that best, but, as I say, I never had seen it done. (1962-3)

Without regard to financial conditions from the time of the fire to May 14th, and strictly upon the merits of the proposition I favored the trolley. (1966)

When I spoke about the electric lights on the poles in my grand jury testimony, I mean just what I said there, that there was to be a double use of the trolley poles, and that they were to hold the lights for lighting the streets as well; the feed wires were to be underground; on Market street ornamental poles in the center of the street and the feed wires would be carried underground and up inside of the poles; so there would be no wires lining the sides of the street, or the center of the street. (1966, 7)

I was in Glasgow 12 or 14 times, and on the steamer coming back and forth they discussed these things, but this matter of a conduit system was before I was ever there, they had a conduit system in Edinburgh. (1966)

I said a while ago that I could not recall the merchants meeting to me after the fire. After reading over my testimony on page 603 of the first Ford trial it is my recollection that after the fire, from everyone I talked to, the common (and I knew hundreds of them and have for years) and they told me they wanted to get the cars going, to get to work, they were tired of looting, and the merchants all wanted it and the people all wanted it. But at the time I testified in that first Ford trial I was mixed in my dates; the cars were running, I was on the first car; they had been running before we granted the permit. We boarded that first car in front of Franklin Hall, and it ran north on Fillmore, and then south on Fillmore on Mission, and down Mission to Fifth, and turned out Fifth to Market and I sat and talked with Judge Morrow and Mr. Callahan and several others who were on the car. The running of that car was very well received the people cheered and they were glad to see the cars started. (1966, 8)

I was on the Citizens Committee.

(1966)



I am a member of the Merchants Association, and I recall the banquet it gave on December 31st, 1966, but I did not attend as the mayor and A. decided that they would not attend, though I urged them to do so. (1969)

The ordinance introduced on May 14th, as I understand it, amounted to nothing more than a mere permission to the company to use the overhead Trolley system as a motive power to change the lines into an electric; it was a mere substitution from one motive power to another; in the original permit there was no franchise nor the lengthening of any franchise, nor any change in any terms of the franchise. (1967,70)

I understood that the ordinance provided for electric poles and the covering of food signs underground, and that the company was to light Market Street from the Ferry to Valencia and on later. (1970)

I did testify here that I spoke to a large number of the board after my first conversation with A.; possibly I spoke to more than half of them; and in these conversations nothing was said about money by me, my object was to feel them out; no mention of money was made by me when I first talked to them; I would not be positive as to whether any of the members mentioned money to me in those conversations, they might have said something about it. My best recollection is they were favorably disposed towards it and some of them were in favor of it, and my best recollection is that none of them made any mention of money in those conversations; because that was not my business to generally talk money to the supervisors, those matters. I was going along paving the way, kind of talking in favor of it; I do not recall any mention of money in those conversations, and it is my best recollection that none of them mentioned to me in those conversations when I first mentioned the trolley matter to them that there would be any money in it or anything coming through on it. (1970-2)

Those that I spoke to seemed to favor the trolley, and I don't think I found any discounting voice; I found the members I talked to favorable towards the trolley. (1970,3)

The first matter that I voted on out of which I afterwards received some money was the prizefight matter, and I think it was Supervisor G. that asked me to vote for that measure, and what he said was that it was a matter the administration favored, A. favored. It is a fact that what G. said to me was that it was a program, and that was a word of frequent recurrence among the members. I cannot recall just the exact language G. used but it was along those lines that it was a program. I do not think G. made any offer of money to me or any mention of money at the time he asked me to vote for that prizefight matter. My recollection is pretty strong to the point that he did not mention money to me at the time he asked me to vote for the prizefight, and it is my recollection that no mention was ever made to me of money in the prizefight matter until some weeks after the vote, when A. handed me the money. I am not very clear on that prizefight matter, but I don't think there was any money mentioned until he came up to my store and gave me the money. (1974,3)







It is my recollection that in that talk A. did say that it was program, or a matter that the Administration favored, and when he said that I thereupon made up my mind to vote for it irrespective of any question of money in it for me. (1975)

In answer to your question whether when A. should inform me that a certain matter was programed that was sufficient for me without regard to any question of money in the matter, having application to matters coming before the board prior to May 14, 1964, I say that it was my policy to support the administration; because if A. didn't represent the Administration, I would not have taken orders from him. It was sufficient for me for A. to inform me that a certain matter was programed in order to obtain my support for it without regard to the question whether there was or was not money in it; I always supported matters that the Administration favored; and that was especially true as for as my matter that I was informed by A. was program, if I believed it was A's program. (1976, 61)

When I was informed as to a matter that it was programed and understood that it was A's program, it was not necessary at that time in order to secure the passage of that matter, whatever it might be, that there should be any offer of money made to me. At that time when I was informed by A. that a certain matter was programed and I believed that it was A's program, it was not necessary in order for me to support that matter that I should believe there was money in it. (1976)

If I thought there was money in it and it was money I should receive, why of course I expected that to come through. (1976)

When I said that at that time it was sufficient for me to know that a matter was programed I did not mean to imply that later on I would refuse to support a measure, no matter how meritorious I considered it unless I was first informed there was something in it for me. (1977)

As I understand you, the first question that was put to me was the prizefight but now it goes on a broader field. (1978)

Later on when I found there was money and the board was entitled to it, and there was money coming through to me I expected it in those matters; that A. would deliver to me my part of whatever was coming to me. If A. was given a certain amount of money for the board, I expected to participate in it. (1978)

I was called in the last A. trial and questioned there about the Hare telephone matter; that came up after the prizefight and after the Markins and after I had some dealings in regard to the Pacific States. (1978)

I did testify in the second A. trial as follows: "A. Did you say to Mr. A. 'Well if the Home is programed how am I going to make a standoff of this \$2000 and that \$2500 more I am going to get.' Did you put that to A.?" A. I never mentioned money matters to Mr. A. It was enough that it was his program. If he arranged my money matters it was satisfactory." If A.



arranged any money matters, whatever he arranged was satisfactory to me, the amounts. Now I want to explain: If J. had started off without ever considering any money matters in any proposition, I would have supported the administration regardless of money. When he first talked to me he did not talk about money matters, and that is why when you spoke of the prizefight, those matters developed later on in the board; if there was money for the board and he accepted the board to participate in it, it was his policy. In that answer there where I said "I never mentioned money matters with L., it was enough that it was money; it was money any money matters it was mentioned." I went by that money matters for the board, and I made that money in connection with the question that was put to me by Bob on the home telephone matter. That was not back at the time of the prizefight, that condition had developed on the board; at the prizefight matter I did not know that money matters were introduced on the board, and that the home telephone matter there had been money transactions. (1900-1)

I voted on the gas matter in February, and it was after the prizefight; the prizefight matter was the first matter in it, and the gas matter was after I received this money in the prizefight matter, and I think the gas matter was after I had been told by G. that there would be \$750 in the Parkside matter; I did attend a caucus in the mayor's office in regard to the fixing of these rates, and it was after that caucus that the amount was mentioned on the gas; and that caucus on the gas was after I received the \$750 in the fight matter, and I believe it was after I had been told by G. that there would be \$750 in the Parkside matter. At the afternoon caucus in the mayor's office there was not any conclusion arrived at with reference to the gas rates caucus. I took issue with some of the supervisors regarding the rates. The position I took was in favor of the 85 cent rate, and that was because I had attended all of the night sessions and followed it up very closely regarding the value of the gas plant and the price of oil and the price of gas in other cities, and the price of coal here, and took all those matters into consideration, and some of the supervisors thought they could make it a 75 cent rate, and I was in favor of the 85 cent rate upon its merits irrespective of any financial considerations; I did not believe that gas could be produced here for less than that. . . . Did you or did you not prior to the time that you expressed yourself at that caucus, receive any mention of any money-- any offer of any money in that gas matter? . . . I received no promise, but that was not a caucus that afternoon in the mayor's office; it was for the purpose of discussion. . . . I received no promise of any money at that time. . . . The artificial lights committee was meeting in the mayor's office that afternoon, and that committee consisted of the board as a whole, and I attended, and it was a general discussion, but there was no vote taken on it. It was prior to the fixing of the rates in the board rooms that money in the gas matter was mentioned to me. It was before the fixing of the rates in the board rooms. It was after that meeting in the mayor's office and prior to the fixing of rates in the board rooms that I was offered money in the gas matter; and at the caucus in the mayor's office I had been in favor of an 85-cent rate, and that was before the money was offered, and I was in favor of an 85 cent rate at that time as the result of what I had learned; this was a discussion because the administration had pledged themselves to a 75 cent rate. . . . At that talk in the mayor's office







I took issue with some of the supervisors who wanted the 75 cent rate, and I told them that I had followed it up very closely and if they could show me how they arrived at their figures and at that rate, I would be willing to listen to them; we had a discussion there, and I was in favor of the 80 cent rate; I announced myself in favor of that rate at that time. Prior to voting for it in the board room, the regular vote by the board, according to my recollections, I was told that there would be some voting in it. (1904-5)

I made a statement at board in March, 1906, now buried there and I did testify at the Glavin case set forth in the official record of the last trial at pages 2430, and as follows: "What was the last matter that came before the board? A. The gas. Q. That is, in which no money was paid? A. Yes. Q. That was the matter of an ordinance fixing the rates to be charged by the gas company to the inhabitants of San Francisco? A. Yes. Q. The platform on which you were elected pledged the board to fix the rates at 75 cents-- it was then 75.00? A. Yes sir, "they had a rate that wiped out-- well, I don't remember the correct amount now, but it was impossible to give gas all over the city for 75 cents. We did not know on the gas that anything was coming along. Q. Until after it was passed? A. No. Q. You told me it was coming? A. Mr. G. Q. That was after you passed the ordinance? A. Yes sir. Q. Finally passed it? A. Yes sir." When I gave that testimony to Honor in the room, I told him that I had not given this matter any thought, and that I could not get the dates on these things were important, and he said he would get all that later on; I got this meeting in the mayor's office and admitting it in the board room mixed, and all of that was not in my mind at the time. I had that talk with Hovey sitting in the room there after I made my statement, and he asked me to look the matters up and that he would get them later; that Glavin statement as you read it to me was the recollection I had at that time, but I never gave the matter any consideration at all or had anything to definitely fix those incidents in my mind. As to the gas matter, I did not segregate the dates at all as to the matter of time. (1906-8)

I have not been attending any sessions of court at which Gallagher has been testifying; I purposely avoided staying in the courtroom generally when supervisors testified; I have been here for the last day or two, but not for the last week, I waited outside. In answer to your question if I was not sitting with Harlock before he took the witness stand, I say just for a few days, and I was sitting with Percy before he took the stand. (1909, 1910)

Ferkaide was about the first important matter taken up in caucus, but I don't think that was at the first caucus after induction. When Ferkaide first came up in caucus, the mayor was present. The committee matters were the matters taken up in our first caucus; and now that you say that you are speaking of the first caucus after we had taken our seats, I say that I think after we had taken our seats, Ferkaide was one of the first matters, and it might have been discussed before as there were caucuses right in there. It was right in there afterwards, and the mayor was present at the first caucus at which Ferkaide was discussed, and he expressed himself as favorable to Ferkaide, and after that caucus he said the members had been invited to go to the street and we went out and after we came back from that tour, we had another caucus at which the mayor was not



present, being in Los Angeles, but I was present; and at this second caucus I had a conversation with A. in which he said that the mayor was promising the Ocean Shore and Paradise and he wanted me to oppose it and I told him I had already promised to vote in favor of it at the banquet and he said I should have taken it under consideration and for me to kick in and hold it up or oppose it. (1900-3)

I had just one conversation with A. that night. I think it was just one conversation. A. did say that night that the mayor was promising Paradise and the Ocean Shore and that they were hurting his politically, and that they were worth considerable money, about a million dollars; that is what he said the Ocean Shore was worth, and I would not be positive whether he exaggerated that; he also said that he wanted the Paradise people to come and see him, that they should see him; the substance of it is that he said he wanted those people to come and see him, and that those matters were worth a million dollars. All of that was one continuous conversation; I got on one side of him and I was just opposite him. There was another conversation at a table regarding the Ocean Shore, but not that night; that was the only talk that night about Paradise; it was while they were taking the views of the supervisors, and A. was taking down their names, and while they were expressing their views. There was no regular vote. I do not recall a further talk with A. after the board had voted on the matter that night. (1900-7)

After reading over my testimony at the last A. trial at page 2100, I say it is not my recollection that I had a further discussion with A. at that same caucus and after the roll had been called upon the matter; I was the last to vote, and I came called the names alphabetically, and when it arrived my time to express my views I opposed the franchise because most of them had done so, but it was all during that one conversation. It wasn't after the meeting, that is after the meeting had adjourned, that I had a subsequent talk. (1900-7)

I did testify at the second A. trial as follows: "A. What was said by you to A. and by A. to you? A. He said he would like me to kick in and hold the Paradise matter up. A. He held it up? A. Yes sir. A. What did you say? A. I told him I had already spoken in favor of it at the banquet, promised money and a pension, and I did not like to do that at that time. He said 'You should have taken those matters under advisement' and waited until you had your instructions from me'. A. He said that? A. Yes. A. He said 'I want this matter held up'. The mayor was promising those matters, the Ocean Shore and Paradise, and it was hurting his politically? A. It was hurting him politically? A. Yes. A. What did you say to Mr. A. then? A. I don't recall any answer at that time, but he was thinking, I don't recall any answer at that particular time. A. Did you discuss the matter with him again at any subsequent caucus? A. I had a further discussion with him at that same caucus, but not until after the board had voted on the matter. A. You had another talk with him at that same caucus? A. Yes sir". (1900-8)

Then A. asked me to kick in and hold the matter up I did not do so right away; the members were talking and it took some







little time and they were in favor of delaying the matter and I was the last to vote, and when it came my time to vote, I abstained and stated that the Irishmen had not supported the administration politically, and in the board room I went up and told O'Brien and Green about it, that I had made that statement in the commons, and I did say in my statement at that time to the board something about the line that they should not be too heavy in granting this application, and that they had not supported us politically. (1997, 2000)

I do not understand if in another conversation than when we were sitting there talking, he did not go away or the board adjourned, this talk all went right in there; A. did say he wanted things people to come and see him, and that the O'Brien should be made as much as that. I don't understand that it was worth that to the board. I don't think I advised the board in the language that they should not be too heavy, but I said they had not supported the administration politically. (2000,1)

Shortly afterwards, I voted in favor of the ordinance granting the franchise to the trolley, and I think they all voted in favor of it before I voted in favor of the franchise. I had been told by A. that it was proper to delay it, and just before voting in favor of the franchise I had been told that it was proper to pass it; I don't remember making a speech when the ordinance was finally granted, or that the majority of the other members did the same; I did not receive any money out of it. (2001)

In the first talk I had with O. concerning the overhead trolley permit he did not mention \$4000 or any amount of money as being in it for the members. He said they were negotiating with A. and that was in that first conversation I had with him; he said they had taken it up with A. and for me to sound the members out. I can't recall the particulars of that first conversation. O. did tell me in that first conversation that he would like me to sound the members out and see how they felt on the overhead trolley as he was very busy on the Finance Committee; he said he wanted me to find out how the members felt in the matter, and to favor it and help to prepare the way for it, but I could not say if he used this latter language, and possibly I have not said that he used that language, "to prepare the way for it" in my trial before. (2001-2)

In answer to your question I say this, that all O. said in that first conversation to me was to sound out the members and see how they felt on the overhead trolley as he was very busy on the Finance Committee. (2001)

I did proceed to sound out the members, and asked to a majority of them, and asked them if they were in favor of the permit, and then I reported back to O. that they were favorable, or sound favorable, and I do not think I thought it would be all right, and in this conversation in which I so reported back to O., there was nothing said about money. (2001,4)

My first talk with O. on the trolley was at the side of the Centner knitting place on Lewis Street about a week before









Q. I do not test this new searchlight underlined. (Don't  
be asked by anyone if I had given any testimony before  
the jury that I had seen anyone - I answered  
that I had.) A. It might have been over the 10,000.  
A. Yes, it was to be less than 10,000. A. That makes you  
hear that? A. Well, there was a certain amount to go to the  
ward, and a certain amount to go to Mr. D. and a certain  
amount to myself, and it would be 10,000 or more. A. That is  
the way, in that case you would say, Mr. D. gave you 10,000  
and that was all he was giving to all of the super-  
visors. A. To me, he did not tell me how much there would be  
after the other supervisors. A. Are you sure? A. Yes sir, to  
the best of my belief. A. And I say, Mr. A. was not the  
first one who told me this. I got it from the board, and  
then I found out in your office that I had been told that  
there had been that I had in mind. In that talk with A. on  
2-14th, I asked him if that was the right way for the other  
supervisors, and he said that it was, that is my recollection  
now, and it is my best recollection of the present time that  
that was on the day the minutes was passed to print. Before  
that talk with A. I had been present in the board room when  
they, including all others were making about the amount, and  
they had the right amount, but two of them were talking  
about and were saying 10,000 and I said A. which was right,  
and he told me 10,000, and according to my present recollection  
he did tell me how much there was for the other supervisors in  
that same conversation in which he told me there would be 10,-  
000 to him as well. (WFO-11)





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I did testify at the third trial, page 176, a 20 -  
Novel. When did you first learn definitely in regard to the  
money you were to receive. A. In a conversation with B. out  
at 10th and Indiana Street. He told me there would be \$11,000  
in it, that there was some odd money in out my, and he thought  
possibly there would be \$12,000 that I would receive. C. Do  
you recollect when it was, Mr. Williams. A. I cannot place  
the date that that was. C. Well, was it not about after the  
introduction of the evidence to Justice? A. Yes sir. (2003)

I did have a conversation with B. in regard to the trailer  
money prior to his introduction in the board. I had no conversation  
with B. about the money for the board. (2004,4)

I did testify at page 20 of the record that as follows:  
Q. Now then, did you talk with B. about the trailer money  
"at all"? A. No, never had any conversation with Mr. B. re  
"these matters." (2004,8)

I did testify before the grand jury, page 21, with respect  
to receiving as follows: Q. Did A. ever talk to you about it  
"at all"? A. Never had a conversation with Mr. B. re my  
"trailer money" at all. C. Except the one about "Money". A. Yes  
"sir", and that is true; I never talked with him about money  
matters, money for the board. C. Never talk to me at the outside  
there would be \$1100 in it.

I do notice what you call my attention to at page 206 of the  
first trial, where I am reported as saying "and there never  
was any discussion with Mr. B. in my mind of money with me  
"as to money considerations in that you to go to the board of supervisors",  
and in answer to your calling my attention to that, I say, Mr.  
sir, I never mentioned there was ever any talk with Mr. B. about  
money considerations before the board. That was all adjusted  
between A. and B., the amount the board received and the amount  
B. received; there was no other discussion with me in any  
manner. I never participated in the discussion of the money  
for the supervisors; the testimony there A. will agree, "if  
this is for the board of supervisors, the amount for the board  
of supervisors." (2005)

I never talked with B. about the trailer money as to  
any amount in it for the board, but I did talk with him about  
the trailer matter, and he said it was going through in various  
positions. I first recollected that B. had that conversation  
with me in a talk with one of the supervisors, asking him how  
they got the \$1000 on the board; I recollect that after these  
talks started. I cannot recall when I first recollected that  
B. asked me to present this testimony and to make a sworn  
talk in favor of it. I was not asked about the granting the  
opinions, I was not asked questions before the grand jury;  
I would not have recalled the first conversation with B. about  
presenting the opinions if I had not known that I had a conver-  
sation with one of the supervisors when I asked him how they got  
the \$1000 on the board; one thing leads you to another. (2006,1)

I am testifying under an immunity contract, but I don't  
know what the understanding is as to whether it is still in  
force and effect. I am under indictment at the present time  
under three charges, and am on bonds of \$1000, but I don't know  
what the status of my immunity contract or of those indictments









get me the opportunity if he could with the prosecution, and I probably did so after I was indicted, and G. reported that he couldn't get any line on what they were going to do in the matter, and I did speak to G. about going away before the third Ford trial and he said I had better wait that they might call me as a witness, I was thinking of taking a trip. I filed my bond. I did take a trip to Los Angeles right after I was indicted. (2041-4)

I had a talk with G. prior to my being called as a witness in the third Ford trial, and I was not a witness in the second Ford trial. The first Ford trial was in September, 1907, and I was called as a witness in the third Ford trial in April, 1908, and before that third Ford trial I possibly told G. I was thinking about going away, and I think right at the time he said I had better stay here and if called as a witness go on and testify and then I was called as a witness in the third Ford trial and gave my testimony. (2041,5)

Before the board caucused upon the general proposition as to whether they would or would not accept immunity, I had a talk with G. back in February or March, 1907; that was prior to the time that they caucused at all; I was then railroad commissioner, which position I had assumed in January. Now I happened to have that talk with G. before the board caucused on the immunity matter was not that he sent word that he wanted to see me, but I was down at the board and I heard of the skating rink matter still being considered, and I was present at a caucus when I heard the board wanted to defeat it, and there was a rumor of some money in it, and I started to find out to hold on, as it were, and that is how I came to be there at that time. The oil proposition came a little later. It is not the fact that when the proposition of immunity was on Gallagher sent for me and had a private talk with me on the subject before there was any caucus. G. did talk to me before he went to see Spreckels at the Presidio; I was there when K. sent his sister to tell G. and myself to sit on the lid, and we were there trying to follow out his instructions when some of the members were going over to the prosecution; K. knew that; that expression about sitting on the lid is mine, she just said that some of the board were seen going around the prosecution. G. did not send for me; I was there around the board in that matter when that condition developed, that he got in touch with the prosecution. We both thought it was getting pretty hot. G. said he was going to get in touch with Spreckels and see how much they did have on the other side, and see how they felt and probably make terms with them, and as, and as I understood it, he did go out and meet Spreckels and after he saw Spreckels I had a talk with him before there was any caucus, and he then told me that he didn't know how many they had, but he said they had three or four. G. told me as to his conference with Spreckels that the proposition was that Gallagher outlined what he thought was right, and Spreckels was going to put it before the district attorney and his associates, and G. would put it before the board and if it did meet with the approval of both sides it would be gone into, but if not it would stop right there. The proposition as outlined by G. which seemed then to meet with Spreckels' approval was that G. felt that every member of the board was equally guilty, and that it would not be consistent with justice for the prosecution to pick out the ones that should be prosecuted, and he felt that putting it that way they might make arrangements;





I reported to me after his first talk with Sprockels that they discussed it together and that Sprockels was going to lay the matter before the prosecution and if they agreed it was all right Sprockels would report back and if the board agreed to accept it I would report, and negotiations would be gone into or otherwise the meeting would never take place. I didn't understand that I said that Sprockels said he thought he would be able to arrange for immunity for all the board in that conversation, it was still in doubt; they were to meet and find out what the prosecution decided; and it was in doubt between me and C. as to whether the board would accept immunity at that time, and it had to be put before the board to take a vote on it, and it was a question of getting them together and discussing on it; the sergeant-at-arms went out in an automobile and notified the board to be present and caucus that evening. Before I went out and had the talk with Sprockels I think he told me he was going to get in touch with the prosecution, and he was going to tell me who he was going to get in touch through, but I did not care to know, and I think about the same time Gordon came down and said he was going to make a statement to the prosecution; I don't think he had made one at that time, but I don't know, but he wanted to talk with Gallagher before he made it. Gordon stated to the whole board that he was going to make a statement to the prosecution, either that he had done so, or that he was going to do so. (2045-50)

Several caucuses were held by the Board on the matter, and I don't know but what I felt personally in favor of accepting the immunity proposition for over a year to keep matters running even and they were getting worse all the time, but I did not use the expression to any one, "Boys, the thing to do is to get under cover". The facts are these: On Saturday when the board was still deliberating on it, I had made up my mind what was best to do and what I wanted to do, and I came in there and told them that I felt the best thing to do was to go over to the prosecution, but I did not try to advise them in their deliberations, but I told them there that the time had come when I no longer was going to advise the board in these matters, as I had been trying that for some time; awhile back I had been trying to sit on the lid all the time, and I did not go and get in touch with the prosecution or any body. I tried the very best I could to sit on the lid. (2045-1)

After making a statement at the Gladstone, I called on E. on Sunday; Burns telephoned that E. wanted to see me at the St. Francis Hotel, I saw Burns after seeing E. in the hallway of that hotel. He showed me the way I could get out; that was all, by the back door, and he said if I wanted to I could go out the back door, and that is the way I went, but I went there at the request of E. E. who stated he wanted to learn from my own lips (last sentence stricken out). I could not state who it was that telephoned for me to go there, but I think it was Burns; I never met Burns until the day before. (2045, 2)

In March or April, while E. was on trial for extortion I called upon him at his residence on Willmore street; I did not know it was by anybody's permission, I just called on him; I do not recall that Ziggy was present, but he might have been. (2052)





As to your question how soon after the fire did the board commence to hold caucuses, I say I think they held a caucus just a few days after the fire; at that time of the first caucus, they did not have an official or regular meeting place, they decided on having Henry Hall at that caucus; I don't know as it could be called a caucus, but we were together there, it was an informal meeting, and I think it was within two or three days after the fire, and not a week. That meeting was held on Hayes Street at Macoushin's place. (2005)

As to your question where was the next caucus held, I say we met on Golden Gate Avenue in the afternoon, and we commenced to meet there possibly ten days after the fire, and it was numbered 1107 Golden Gate Avenue, and it is a house that is owned by my wife. I think I rented that house sometime after the first of June, but got possession of the house on the 15th of May; the house was vacant at the time the board was holding their caucuses there. I would say that the last caucuses were held there about the middle of May sometime, but I could not say how frequently caucuses were held there or had been held there, I think possibly a half dozen caucuses were held out there on Golden Gate Avenue. (2003,4)

As to your question where were the caucuses held after the middle of May, I say I don't think we held any caucuses after that only at the board room until the place on Geary Street was rented, I mean Hamilton Hall; we rented the place on Geary Street sometime in June, but I could not say as to the exact date. (2004)

Q. Well, do you recall this trolley matter being discussed there in these caucuses that were held on Golden Gate Avenue?  
A. There was a discussion there in which Supervisor Nicholas participated, in which he stated I was getting up a combination or something on the board, and Mr. H. was there and he wanted to know if we were all going to be treated equal, and Mr. R. said "Yes", they would all be treated equally, or some conversation like that. (2004 1-2)

I don't think I have ever testified to that before, but I have been examined concerning this trolley matter up to date quite a number of times. In answer to your question if I ever remember of Mr. H. having said anything like that before, or Mr. Nicholas having said anything like that before, I say I don't think I was ever asked about the caucuses on Golden Gate Avenue, if I was it has escaped my mind. I think it entered my mind before, but I don't think I ever did in a case before. In answer to your question if I ever mentioned that the trolley matter was mentioned in the room that we had out there on Golden Gate Avenue, I say that I don't know that the trolley matter was mentioned at that caucus; I say Nicholas brought up about the fact that he heard that there was a rumor to the effect that there was a combination getting up on the board. He told Mr. H. and Mr. R. said that there would not be anything like that, that they would all be treated alike in matters coming before the board; I am not very clear right now just what that conversation was, but it was along those lines and it was in the front room of the Golden Gate house and when we were meeting there. In answer to your question if it was with regard to this trolley matter, I say I think that was the foundation of the combination. (2004,5)



I did testify at page 2470 of the last trial as follows, in response to question asked by Mr. Ash with respect to matters being discussed in the caucus: "Q. Was the trolley? A. Well, I don't know, we had a room to caucus in at the time the trolley came up. Q. Didn't you please answer me, was it? Well, it wasn't, was it? A. It was after the fire. Q. It was after the fire was it? Well it wasn't, was it? A. It was after the fire, I don't think it was." It is talking about prizefight all through there and I presume I was talking about prizefight in that part you call my attention to. (2054)

Q. I say there we had a room to caucus in after the fire. Now this may come up again and I would like to say here that we had provisions in that room on Golden Gate Avenue where the board met to get something to eat, a sort of a club-room, and we caucused there, and I have always remembered that, but whether the trolley was discussed there I do not recall that, but I do recall the conversation that I have mentioned to you. (2057)

I only told Mr. Honey whatever he asked me, and I don't think he asked me anything about the caucuses, and I don't think I have told Honey or Burns about any such conversation. (2060)

I think Mr. Burns did ask me about the caucus on Golden Gate Avenue, and that I did tell him, but I would not be positive. (2061)

Neither Mr. Honey or Mr. Burns in any of the cases in which I have been called as a witness and examined by them ever asked me about any such conversation as that, or caucus, I never knew what Mr. Honey wanted. MR. HONEY. If you want to know I will say this is the first time I have heard it and Mr. Burns says this is the first time he heard it, so you don't need to waste any more time on that. (2068)

I think I did tell Mr. Burns about the Golden Gate Avenue at some time, but I don't recall just when. I could not say that I had before this minute ever told Mr. Burns or anyone connected with the prosecution that any such conversation as that had occurred; I never knew what the prosecution wants in the case of evidence, but if they will ask me I will tell them. (2069)

I think I did tell some of them of the existence of such conversation as that, and I think that was told Mr. Burns, and I presume he didn't tell Mr. Honey or any of the prosecution about it, I don't know, I do not recall whether he asked me about the Golden Gate Avenue or not. (2070)

It is not the fact that I made that conversation out of whole cloth in the effort to carry away with the prosecution on account of these individuals that are pending against me and if you believe that if you go to the prosecution and tell them and they won't prosecute me, I would not be testifying here at all if I thought they were that kind of men. If you go after this court meets and tell them I have told something here on the witness stand that is not true, I am willing to abide by whatever they decide in the matter. (2070, 80)







In answer to your question if I swear positively that I ever told Mr. Burns that any such conversation as that had occurred, I say I am pretty sure that I told Mr. Burns, but I know I told him about meeting on Golden Gate Avenue, but whether that exact conversation I told him-- I am pretty sure that I did. (2060)

I recall being examined by Mr. Matt Sullivan in this A. case upon the subject of caucuses that were held by this board of supervisors, but as I tell you the meetings on Golden Gate Avenue really did not take the form of a caucus. They were meetings. I don't think the question of meetings out there or caucuses was mentioned by Mr. Matt Sullivan in the last A. case. I do remember being examined about caucuses that were held after the fire, the Sunday night caucuses that were held; we never met on Sunday night until we met at Hamilton Hall, because I rented that hall and know we met there Sunday nights. If I was examined in the A. case as to caucuses both before and after the fire, and including the meetings we had upon Golden Gate Avenue, then it is in the record. I don't recall anywhere in the record of mentioning to Mr. Sullivan or Mr. Ach anywhere about any such conversation as I claim to have taken place. I don't think he went into it like you did asking me, but they spoke about Sunday night caucuses and I don't think he went into it. The matter he spoke of there was prize fights, and I don't know just how it jumped in there about the caucuses. I don't know that Mr. Ach asked me in that case whether the trolley was discussed in caucus or not, but I am telling you about the conversation on Golden Gate Avenue, and I don't know that the trolley was the foundation of that conversation, but as I tell you, Nicholas told A. that he heard about a combination in the board, and he asked him about it and said that he had just heard that day and I think he said I was getting up a combination or something on the board. In answer to your question if I ever heard that Nicholas has ever testified to any such conversation as that, I say I am not influenced by what any other supervisor testifies to at all; Nicholas did have that conversation, and if I was asked about it I remembered it, yes sir. (2060,1)

I have not discussed my testimony in advance of being called as a witness in these cases with the prosecuting attorneys; with regard to the last A. case Mr. Sullivan and Mr. Laver and Mr. Moore not me one day in the District Attorney's office and said they were not familiar with the facts and they wanted to get in touch with it, and that they were just new in the matter, but I don't think they touched on that, but they put questions to me and I don't think that I told them that; I think they had some old testimony there and asked me about some matters, and then went into other matters, and I think they asked me a number of questions as to what I knew about this matter. Mr. Sullivan examined me for some time in court, and I do not think I said anything about such conversation, though I was questioned in regard to meetings of the board, both before and after the fire, outside of board meetings, but any now that could never take the form of a caucus, and it is not really a caucus, it was a meeting place we held; I had a place there and furnished it to the board, and we had some provisions put in from the Relief Committee, and we met there as a sort of a club room, and this conversation was one of those that took place, but I don't



know that the trolley was discussed, but I think it was, at least it might have been. I did not take part in that conversation when Nicholas spoke up that way, I don't think it was gone into any further. (2065,3)

I don't think I ever talked to Nicholas about this trolley matter at any time, and yet I might have done so, I might have talked to my supervisor, but I don't recall it. I have no recollection of having talked to Nicholas at any time concerning this matter. (2066)

When I went to the Gladsions and gave my statement there I did see Mr. Spreckels and I think he was present in the building, but I don't know whether he was in the building or not before I saw him, but I saw him in the building. (2064)

About the time I was a witness in the first Ford trial, Mr. Burns and Mr. Spreckels were in the hall, and I think it was Mr. Spreckels or Mr. Burns that asked me what was the matter, but I didn't enter into any conversation with him. I think I told Mr. Spreckels that I wasn't feeling well, but that was all, I think. (2064)

These indictments were returned against me in October, 1907. I did testify at the third Ford trial at page 204 as follows: "Q. Have you met Mr. Spreckels or spoken with him since the time the indictment was brought against you? A. I have never spoken to Mr. Spreckels that I recall since I was in the 'Gladstone apartments', and I never did only that day in the hall, and he called me and asked me what was the matter, but that was at the first Ford trial. I did give that testimony at the third Ford trial, but I had in mind there that you meant to discuss the indictments or the cases, and I don't know whether it was Spreckels or Burns that said something about my looks. I meant by that testimony that I never discussed anything with Mr. Spreckels regarding the cases or the indictments. (2065,4)

Occupation.

(2066,7)

#### INDIRECT EXAMINATION.

That conversation at Golden Gate Avenue that I have told about at which Mr. Nicholas spoke to Mr. A. and Mr. L. replied as I have stated, I think it was about the 15th of May that I rented that house; it was sometime prior to that; I know I rented it to other persons for them to occupy. It was the Fulton Book Company, and they took possession the first of June, but I gave them a half a month for altering and doing some repairs on the building, and that half of a month was before the first of June. (2067)

I quit using the house as a meeting place for the members of the board when I allowed the tenant to take the house. (2068)

I could not state as to that Nicholas's conversation with respect to the date when the evidence came up in the board on papers to print, and I could not state that the foundation of this conversation was the trolley matter. Nicholas stated as a fact, stated that he heard there was a combination on the board, something to that effect, and Mr. A. said that they







would all be treated equally; at that time, I think the majority of the board were there, and the statement by Nicholas was not made in a side conversation with A., but it was made aloud before the other members of the board, but no other person talked on that same subject on that occasion besides A. and Nicholas that I recollect, the matter was just casually mentioned, and he made that statement and then it was dropped. (206H)

I rode on the first car after the fire and I recollect that occasion. On that car there was Mr. Mullaly and the Mayor was there, and Mr. A. and Mr. Degee, and there was quite a number, but I don't remember all, and I don't recollect what day it was, but I think it was about a week after the fire; we were meeting up in Franklin Hall, the Committee, and I think Mr. Mullaly came and asked us to go down and take a ride on the cars, that was the Committee of Fifty, and I was on some sub committee, building committees and different things. I had met Mr. Mullaly before that occasion, but I could not say as to whether A. was with me when Mullaly extended this invitation. I went along with the Mayor and Mr. A. and the other members of the Committee, number of us all got on the car in front of Franklin Hall and the car was photographed at the end of Fillmore Street, and then we came south along Fillmore and down to Fifth and Market and turned there, I don't think Market Street had been cleared, and we turned back. I think that our ride was two or three weeks before the ordinance was introduced on the board. (206G,70)

I could not be positive of how many luncheons I attended at the car barn, I sometimes think that I only attended one, if not, then I attended two, but I am not clear on that. The luncheon which I recollect attending occurred about the 1st of May, but I could not give the date. If it was one luncheon, why we were all there together, Mr. A., Mr. Macdonald, Mr. Deegan, and I think Mr. Coleman was there, and Mr. Chapman, Mr. Mullaly and Calhoun, and the luncheon took place in a car that they had sidetracked, and all of the persons I have named partook of the luncheon in that same car, and I became introduced to Calhoun on that occasion, and I think it was Mr. Mullaly introduced me, and that luncheon was after the cars, possibly ten days or along there after it, and I think it was before the ordinance came up in the board on passage to print I think it was. Nothing was said at that luncheon about the trolley permit or the trolley ordinance. (207A)

Before the ordinance came up for passage to print in the board, I did not hear Calhoun at any time say anything about the permit or the ordinance, I never heard him mention it. (207B)

In answer to your question what was the matter with me at the First Ford trial, I say I had been sick ever since the investigation started, and had been gradually getting worse, and had been operated upon. (207C)

In answer to your question what my present understanding is as to the reason why the prosecution indicted me after I testified in the First Ford trial, I say that I felt that the prosecution was simply doing what they felt was their duty in protecting the people's rights. I thought it all out that



night that I was indicted. I remembered a conversation in which Mr. Money stated just prior to the first Ford trial, that it was something like a doctor cutting out a cancer, and he had simply to shut his eyes and go in and do his duty as he saw it; I recalled that conversation and I felt that he simply felt it was along the line of his duty, and that I had contradicted my testimony, and I stated to the newspaper reporters in the morning after I furnished my bonds; I waited until my attorney came back, the day I was indicted, I went to my doctor's office to be further treated, and brought a letter written on his desk to Mr. Money. (2073)

My present understanding as to why I was indicted by the prosecution after I testified in the Ford case was because I contradicted my testimony, that was all. (2074)

The reason that I favored taking immunity was that I thought it was the best course to pursue, that was all. (2074)

I do recollect the occasion of G. going out to meet someone in connection with the prosecution in reference to immunity, and at that time I was in favor of the supervisors taking immunity, because I thought we had all been equally guilty in the matter, and the best thing was to go on and make a full breast of it and a statement to the prosecution. Before he went out to the meeting place with Spreckels out to the Presidio, I think there was some discussion about it. (2074,5)

I do recollect having a conversation with G. about Lonergan having been trapped before G. went out to meet Spreckels. (2075)

I am telling the truth in these matters, and the testimony in the Ford trial was the result of my condition, and I think the district attorney should take that into consideration in fairness. (2075)

At the time the ordinances came up for passage to print I understood that the feed wires were to be put underground on Market and Sutter streets, but I did not understand that the railroad company was to furnish any light upon any streets other than upon a portion of Market Street and upon a portion of Sutter street. (2077)

Before the board discussed on the question of receiving immunity, I had conversation with G. about the trapping of Lonergan, and it was sometime prior to that. (2078,9)

I had heard that Mr. Lonergan had been trapped in the matter some little time prior to immunity being discussed, and I had G. take me up to R's office, and then later on R. was taken into custody and the matter developed more seriously and we knew that Lonergan was trapped and some others trapped. (2078)

The conversation at Mr. R's office at which I was present, and at which also Mr. Lonergan was present, occurred about a month prior to going over to the prosecution, and G. was present there, too. (2101)







It was about two days prior to the negotiations started that led to immunity, that I heard from A's sister that G. and I were to sit on the lid, that is about two or three days prior to G. going out to the presidio. I was at the board rooms on Main street when the message came from A's sister, and I was keeping in touch with matters in the board, trying to keep the supervisors from making statements or getting trapped. I had been attending meetings of the board from the first time which was on Saturday, that I heard that some of the supervisors-- that this skating rink matter was still being considered, and it was about three weeks, I should judge, and that I was attending those meetings of the board to try to keep these money transactions on the board from becoming public. I was afraid the District Attorney and Mr. Burns and Mr. Doney or the prosecution might find out about them. At the time A's sister brought the message he was in custody of an Officer (Lacey) at the St. Francis and I know of that fact the night he was taken in custody at Proadero; I think it was just three or four days before this message was delivered to me by A's sister that I learned that H. was taken into custody at the Proadero; at the time I first went to these meetings for the purpose of preventing the money transactions becoming known he was in his office at Fillmore and Bush streets, and was not then in custody. At the time I commenced attending these meetings of the board, I understood that some of the boys had been trapped, had accepted money in these matters, Lemargue and Walsh and Norton, and I was not sure whether they had any more or not. When the matter first came up I was not positive Lemargue had been trapped, but it developed that he had been later on and I had a suspicion that he had in the skating rink matter when I began attending these meetings, and when I got that suspicion, I called down at the board rooms and heard that they were discussing the skating rink matter. (116-17)

At the time I had the conversation with G. before he went out to the presidio to meet Speckels, I understood that some of the members had made statements to the prosecution, Walsh, Lemargue and Norton, and that these were statements of the money transactions that involved G. and, through G., myself. That is what influenced my attitude in the matter, because I had accepted money as a supervisor, and I thought that it would lead to my conviction. (116,17)

At the caucus in which the Parkside was brought up for the first time, some of the supervisors spoke against Parkside and some put their opposition on the ground that they were pledged to municipal ownership, but I could not say how many, and I cannot say if a majority were present, but I think there was. (117,18)

I did testify in the A. trial on Friday November 27th, 1908, as follows: "Mr. Williams, Mr. Wilson, do you remember when the Parkside matter came up before the board for consideration? A. Yes sir..... Then the mayor was absent in Los Angeles..... in the early part of January, 1906..... I had a talk with A. about it at the caucus that Sunday evening, and he then said that he would like me to kick in and hold the Parkside matter up and I told him I had already spoken in favor of it at the machine, so-called Trade and Union and I did not like to take that attitude at that time, and he said 'You should have taken these matters under advisement and waited until you had your instructions from me.' Mr. A. said that. He said

1. The first thing I noticed when I stepped out of the car was the cold. It was a sharp contrast to the warm blanket I had been sitting under. I looked around and saw a few other people standing in the snow, some looking at their phones, others just shivering. I took a deep breath and felt the cold air fill my lungs. It was a strange feeling, but I knew I had to get used to it. I walked towards the building, my boots crunching on the snow. The door was open, and I went inside. The warmth of the room was a relief, but I noticed a few people looking at me. I felt a bit awkward, but I tried to ignore them. I went to the counter and asked for a cup of coffee. The barista smiled at me and handed me the coffee. I took a sip and felt the warmth spread through my body. I looked at my phone and saw a text message from my friend. I smiled and replied to it. I was starting to feel like I belonged here.

2. The second thing I noticed was the smell. It was a mix of old wood, fresh paint, and a hint of coffee. I had never smelled anything like this before. I walked around the room, taking in the scent. It was comforting, almost like a hug. I saw a few people sitting at tables, talking and laughing. I felt a bit out of place, but I decided to join them. I sat at a table and watched them for a moment. They seemed so happy, so carefree. I took a deep breath and felt the cold air fill my lungs. It was a strange feeling, but I knew I had to get used to it. I walked towards the building, my boots crunching on the snow. The door was open, and I went inside. The warmth of the room was a relief, but I noticed a few people looking at me. I felt a bit awkward, but I tried to ignore them. I went to the counter and asked for a cup of coffee. The barista smiled at me and handed me the coffee. I took a sip and felt the warmth spread through my body. I looked at my phone and saw a text message from my friend. I smiled and replied to it. I was starting to feel like I belonged here.

3. The third thing I noticed was the sound. It was a mix of soft music, the clinking of cups, and the sound of people talking. I had never heard anything like this before. I walked around the room, listening to the sounds. It was soothing, almost like a lullaby. I saw a few people sitting at tables, talking and laughing. I felt a bit out of place, but I decided to join them. I sat at a table and watched them for a moment. They seemed so happy, so carefree. I took a deep breath and felt the cold air fill my lungs. It was a strange feeling, but I knew I had to get used to it. I walked towards the building, my boots crunching on the snow. The door was open, and I went inside. The warmth of the room was a relief, but I noticed a few people looking at me. I felt a bit awkward, but I tried to ignore them. I went to the counter and asked for a cup of coffee. The barista smiled at me and handed me the coffee. I took a sip and felt the warmth spread through my body. I looked at my phone and saw a text message from my friend. I smiled and replied to it. I was starting to feel like I belonged here.

4. The fourth thing I noticed was the light. It was a warm, golden light that came from the windows. I had never seen anything like this before. I walked around the room, looking at the light. It was beautiful, almost like a miracle. I saw a few people sitting at tables, talking and laughing. I felt a bit out of place, but I decided to join them. I sat at a table and watched them for a moment. They seemed so happy, so carefree. I took a deep breath and felt the cold air fill my lungs. It was a strange feeling, but I knew I had to get used to it. I walked towards the building, my boots crunching on the snow. The door was open, and I went inside. The warmth of the room was a relief, but I noticed a few people looking at me. I felt a bit awkward, but I tried to ignore them. I went to the counter and asked for a cup of coffee. The barista smiled at me and handed me the coffee. I took a sip and felt the warmth spread through my body. I looked at my phone and saw a text message from my friend. I smiled and replied to it. I was starting to feel like I belonged here.

"I want this matter held up." The mayor was promising these matters and the Parkside and Ocean Shore, and it was hurting the mayor politically. I don't recall any answer at that particular time that I made to Mr. A. Did you discuss the matter again with him at any subsequent talk? A. I had a further discussion with him at that same session, but not until after the board had acted on the matter. You had another talk with him at that same session? A. Yes sir. State what was said in that conversation between you and Mr. A.? A. I have already stated that conversation; that he wanted the Parkside people to come and see him, well it was right along at that time. MR. ACH. That is an addition is it, to the first conversation, that he wanted the Parkside people to come and see him? A. Well, it was right along at that time. (S111,20)

I did testify as follows on direct examination at page 438, in the third Ford trial on April 23, 1908: "Q. Did you have any conversation with Mr. A. in which money was spoken of before the matter came up in the board? A. Well, I think it was the day of the franchise--- the ordinance was passed. Q. Passed which way? A. Passed to print. Just before it was passed to print, before the board met, some of the members told me there would be \$4000 in it, and some of them told me \$3000, and then Mr. A., I saw him later, and he told me it would be \$4000 to the members, but I was to get more; he said there would be some odd money, he didn't know just the amount I would get. It would be \$10,000 or \$12,000, it was not definite what I would receive." (S111,21)

I did testify before the grand jury at page 24 as follows: "A. In the month of February, 1908, or right along about that time, the fixing of the gas rates and electric light rates for the city came up before the board, didn't it? A. Yes sir. Q. On that matter before it came to a vote for fixing rates, did you hear there was any money to be paid to the members of the board of supervisors? A. Yes, I think it was before the rates were fixed. A. When did you learn it from? A. From Supervisor A. A. Did he tell you how much it would be? A. Yes sir, \$7500. A. And afterward you voted for the 50 cent rate, did you? A. Yes, sir." (S111,2)

I was a witness in the first class case and saw Sprockels in and about the courtroom frequently during that time, and he was sitting up at the table with Mr. Henry a portion of the time. I was a witness in the second class trial and I saw Sprockels in and about the courtroom frequently during that trial, and he was sitting up at the table a portion of the time with Mr. Henry and some of the time sitting out in the audience. I was a witness at the first Ford trial, but I saw Sprockels just in the hall, and I saw him during some of that trial at the table with Henry and Langdon. (S111,3)

When I was asked in the third Ford trial if I had ever met or spoken to Sprockels since the Gladstone apartments, I did not understand it to refer to such incidents as passing him by and nodding to him and passing him around there; as I had seen him a great many times in and to him from the time I was at the Gladstone up to the third Ford trial in April, 1910, and I never met Sprockels and discussed any matters with him regarding the cases or any matters connected therewith from the time I





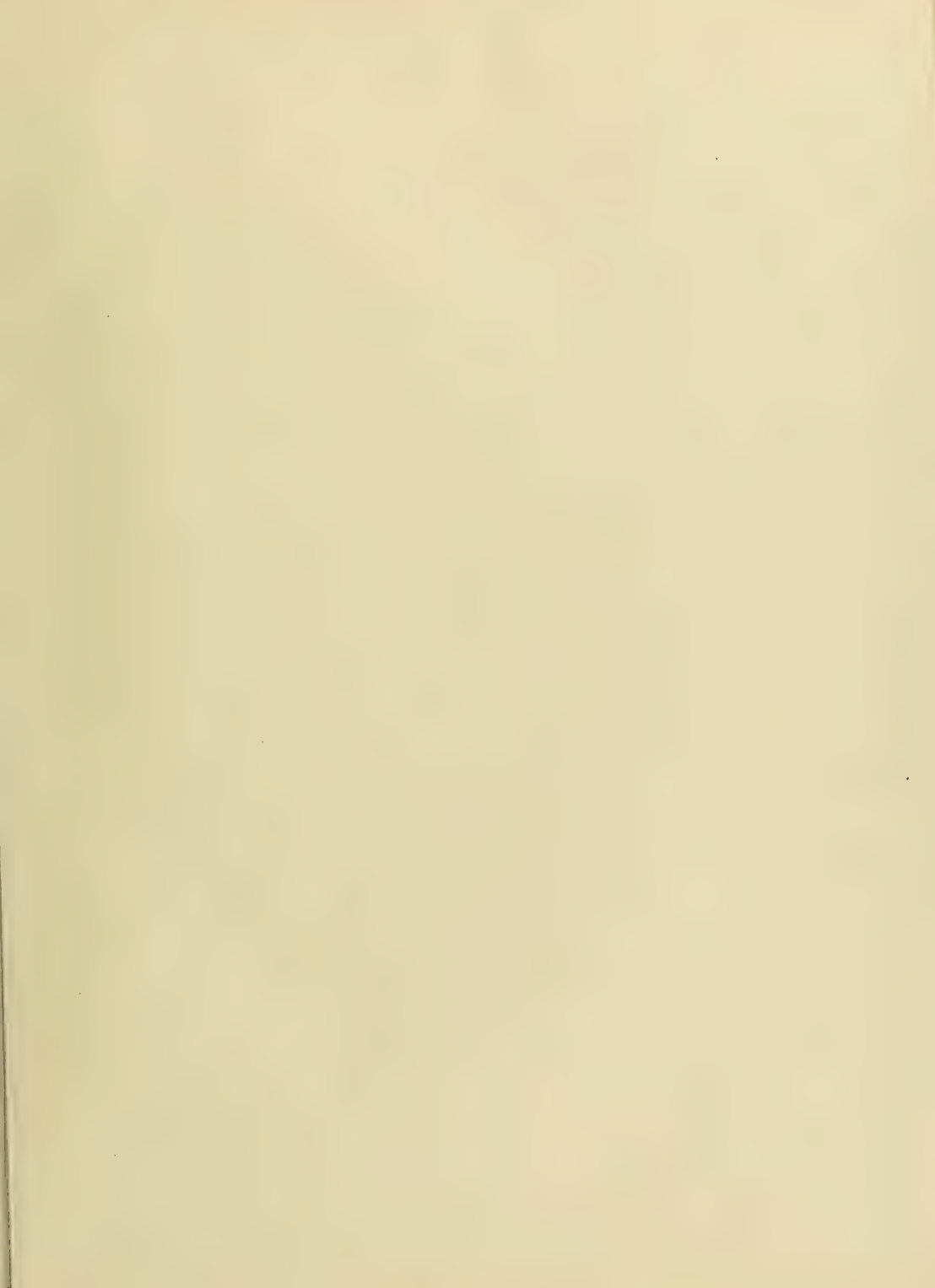


and him in the (lecture) down to the third floor train. (1914, 6)

Then I went to the (11. 1914) and had the (11) with .  
there, I know of where (1914) it was that I went. (1914)

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Complete Testimony of Supervisors  
Mamlock and Furey  
at the  
Calhoun Trial (1436)









COMPLETE TESTIMONY

OF SUPERVISORS

WILLOCK

and

FURRY

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CALHOUN TRIAL (1436.)

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- I.    MAMLOCK  ----- Pages 1 to 8.  
II.   FUREY    -----       "    9 to 20.

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TESTIMONY OF SUMNERVILLE MARLOCK GIVEN AT THE COLLEGE TRIAL #1486.





Supervisor a year and seven months; previously electrical business since 1895 and up to the date of the fire 1907. Was present and voted on passage of trolley ordinance to print and on final passage; and I knew it was brought up two or three different times. (1908)

Became acquainted with G. during the campaign of 1905, became acquainted with Wilson after I took office. (1908)

Had a conversation in relation to the ordinance; believe the first talk was with Wilson and we might have brought it up two or three times, but at least once, and I remember one on the day it passed to print, and it was at Lowry's Hall and what Wilson said to me that there would be \$4000 in it, he was talking about the trolley matter; to the best of my recollection he said that the trolley will be up to-day and that there will be \$4000 in it. (1908,9)

I had a talk with G. on the trolley directly after my talk with Wilson and on the same day, and in front of Lowry's Hall, and to the best of my recollection G. just said there was \$4000 in it, but he did not say in what and I had not asked him anything and no other person was close to us at the time. (1909)

I remember of subsequently receiving \$2000 from G., and I think that was sometime in July, either a week after the 4th of July, or shortly after that, and that payment was made in the basement of the C. F. D. & T. Co., where I had gone with G.; he counted it out to me there after he took it out of a safe deposit box; U. S. currency, but I do not recollect the denominations of the bills. (1910)

I have no recollection whatever of another payment from G. on the trolley, and cannot recall any circumstances of receiving the second payment. (1910,11)

When G. made me that first payment of \$2000 in the trolley to the best of my recollection he told me not to say anything to the other boys about it, as he had not paid any of them yet, and was giving me my money a little ahead of time. (1911)

No official or any employee of the U. R. spoke to me in regard to the ordinance before it came up for passage to print on May 14th. (1911)

#### CROSS EXAMINATION.

I do not know anything about any general understanding among the members that on all important matters there should be some money in it or that it should not be passed, before the trolley matter came up and shortly after I went into the board; the only one I knew there was anything in advance was in the trolley matter and the telephone matters. (1911,12)

I did testify at the preliminary examination on August 3rd at page 40 as follows: "Isn't it a fact that there was a general understanding among the several supervisors, of



which you were one, that in all important measures by which "any franchise was granted and any corporation or any favors were to be extended to any one, there was going to be some money?"

Q. A. I understood there would be in-----1. (Intg.) What?

A. I understood there would be in certain matters.....2. Now, "but there was a general understanding amongst the members of the board that there would be money in important measures, that A. would get it for you and distribute it amongst the members, wasn't that the understanding?" 3. What is what I understood, yes. 4. And don't you know from what you know and from what other people have told you, I mean supervisors, that "the other supervisors had the same understanding?" 5. Yes, sir." (1912,13)

I regarded Gallagher as the leader of the board and I followed him and what he said with respect to voting in important matters went. In important matters that did not amount to anything we supervisors voted as we personally thought best and in all matters that did amount to something I do not know that we took the orders from G. but I followed his leadership and generally it was a majority vote; if G. said "no franchise", I do not know whether it would have been defeated, but I would have voted against it and if he said vote for it I would have voted for it. (1913-15)

My personal view as to the wisdom of granting the trolley permit after the fire and up to the time I voted for it was I thought it was a wise move. I would have voted for it whether there was money in it or not. (1918)

I am a practical electrician and have spent my time at the trade. I made no investigation as to the merits of the conduit and the overhead, nor into the practicability of the same, but I had experience in the transmission of electricity and I had my experience in mind at the time I voted. (1915-17)

I may have made public announcement of my position before May 14th, but I am not positive, but I took no pains to conceal it. (1917)

If nothing had been said to me about money after the fire I would have voted for this permit; in answer to your question what I would have done if A. told me not to vote for it, I say that is a pretty hard question to answer. I would have voted for it because I believed it and thought it was the best thing under the circumstances and I desired to vote for it for the good of the city. Under ordinary circumstances I think I would have voted against if G. said so. (1917,18)

I understood G. got these orders from A. (1918)

My mind as to who spoke to me and when they spoke to me about it and as to the accounts, etc., has been refreshed from hearing others testify; I have sat in the courtroom at the trials and listened and my mind has gradually been refreshed; I have not read over my testimony from time to time, but maybe I would pick up a paper and snatch a little here and there from it. I was down to the district attorney's office once in this case about two or three weeks ago; I do not know whether I went down before I went on the stand in the Parkside matter or not, but I might have; I think I did before the Ford trials as they came along; several times I was down there and they read over







to me portions of my testimony. I don't remember whether I did so before going on the stand at the preliminary. I have not read over my testimony myself, except as I said a piece here and there from the newspapers; I don't think I have ever read over my grand jury testimony; I don't think I read over my grand jury testimony in the "Call", but I might have just read a piece of it, but I don't think I read the whole thing. (1910,19)

I do not believe I have ever seen my Gladstone statement. (1920)

I did testify before the grand jury as follows: "The next matter I call your attention is the granting of a license to erect wires and poles for running the overhead trolley of the N. A. At the time that came up and before you did you understand there would be something coming through on that?" A. Yes sir. Q. Do you remember who told you? A. I think Supervisor G. told me. Q. Did he say how much? A. No, no definite amount. Q. You understood there was to be something? A. Yes sir. (1920)

I did testify at the first Ford trial, page 614 and as follows: "Q. Mr. Marlock, you say Mr. Wilson told you that 'there would be \$4000 in it.' A. That is after the fire. Q. Wilson? A. I think it was Wilson, yes. Q. Anybody else tell you? A. Gallagher might have told me. Q. Well, he might have, did he? A. I could not positively state whether he did or not." That testimony is fresh in my mind and I don't need to read it over, because I remember it. (1921)

I further testified (at first Ford trial) as follows: "Q. Well, now, who spoke to you about it on the board before the ordinance was passed to print on my letter? A. I think it was Mr. Wilson. Q. Andrew L. Wilson? A. Andrew L. Wilson, yes. Q. What did he say to you? A. He told me there would be \$4000 in it. Q. What did you say? A. I don't just recollect what I did say, whether I said anything or not." I do say now that I am positive that both G. and Wilson spoke to me and I remember just when it was. My memory has been refreshed as I testify. It is partly from attendance on these trials and partly by thinking matters over between times. I did not have plenty of time between the grand jury and the first Ford trial to think about my testimony, and I put in longer hours at present than when I was in business for myself. (1922,3)

It was on the day the matter came up in the board that Wilson spoke to me about the trolley matter; and G. spoke to me directly after Wilson did, maybe half an hour or ten minutes; that particular one time is firm in my mind. (1922)

I did testify as follows at the second Ford trial, page 640: "Q. What did Mr. G. say to you on the subject? A. I don't just remember what G. said, something to the same effect. Q. How long was it before the passage of the ordinance to print, do you say? A. I think it was before the ordinance to print, yes. Q. About how long before? A. I could not say definitely. Q. What is your best recollection of it? A. I think it was after the lines had been opened, and before the ordinance was passed to print. Q. After the lines had been opened, you say, that is after the permit had been granted by the mayor."



"What permit do you refer to? The overhead trolley permit.  
"The temporary one? The temporary one granted by the  
"Mayor, yes sir." I was not positive of the time but I  
have since become positive. (1915-8)

I did testify at the second Ford trial, page 343 as follows:  
"Mr. Heckel, you are very uncertain, as I understand you,  
"as to the time; you can't give us anything like the exact time  
"that either G. or Wilson spoke to you about the matter? A. Not  
"the exact time, no, between those two times. And that is  
between the time the mayor granted the permit and May 14th,  
about three weeks, and I didn't say it was the first time or  
the last time, but it was within that time somewhere. (1925)

They read over portions of my testimony at the third Ford  
trial when I was at the District Attorney's office the other  
day, though I do not remember what portions. I went over my tes-  
timony in one of those trials, but I do not know whether it was  
the last Ford trial or some of the others. I do remember defi-  
nitely now the time G. spoke to me and that he said to me a  
definite amount, that there would be \$4000 in it. I testified  
at the third Ford trial, page 342, as follows: "Now you say G.  
"also spoke to you? A. Gallagher told me there would be \$4000  
"in it, yes sir. Well, did G. speak to you that there would  
"be \$4000 in it or did he just speak to you generally about  
"the matter without being definite as to the sum? A. No, he  
"was very definite as to the sum." When you call my attention  
to this last testimony in the third Ford trial as compared  
with the testimony which I gave at the grand jury to the effect  
that G. did not tell me any definite amount, I say I am testifying  
now just exactly as it happened and as I remembered it happened,  
and as I am positive it happened. At the grand jury, my mind  
was pretty well bothered, and I was worried. Between the time  
of the first Ford trial, September, 1907, and the grand jury  
testimony, March, 1907, I had a lot of worries on my mind. From  
reading different portions and hearing others testify my mind  
was refreshed. (1926-8)

I don't know why it is that I don't remember the second  
payment, but I just simply haven't got it. (1928)

I did testify at the third Ford trial, page 347 as fol-  
lows: "When was it you first recollected having that con-  
"versation? You say it occurred; the bill came before the  
"board? A. Do you mean when I first remembered it? A. Yes?  
"Why, just recently. A. A few days ago? A. It might have  
"been a week ago." (1928)

I have a distinct picture of that conversation in my mind  
right now, but it is not the creation of my imagination due  
to sitting in the courtroom and hearing people testify, but it  
was not a distinct recollection at the time of the first Ford  
trial or the grand jury or the second Ford trial, it has come upon  
me later; some of our memories, like old wine, gets better  
as it grows older. (1928)

I am under immunity, and if I live up to my agreement, I  
consider that they will live up to theirs, that is if I tell  
the whole truth; they are the judges; I know that Coffey and







Wilson were indicated after they testified, and I heard that the contract is not legal, and I understand that I cannot enforce the contract. (1935-36)

I signed one of those affidavits and it was read to me before I signed it and I knew the substance of it and I knew when I swore to it that it was not true; it was a matter of self preservation; I swore once to a false affidavit as a matter of self preservation. (1937)

#### ENDORSEMENT IN TIME.

Keane asked me to sign the affidavit, and I do not know whether there was anyone else present. As soon as Keane told me about it, I went over and signed it at the notary's. I think Keane told me there was a paper error in the office and to go and sign it. I don't remember whether he told me who it came from but I understood after I saw it that it came from A.; I always looked upon Keane as H's confidential man; what I meant by saying that I signed it as a matter of self-preservation was, I did not mean it just that way, but I thought it was in order to help the administration in regard to the district attorney's office, and to kind of stop this matter that was going on at that time; I was afraid the district attorney and his associates were about to commence proceedings against me at the time, and I thought the affidavit would stop or prevent them. (1931,3)

I testified under the immunity contract at the grand jury and in the various Ford trials. (1932)

Nobody asked me to testify as I have testified to my recollection of the time when H. spoke to me and told me there would be \$4000 in it; I do not know how that came to my mind; the time and the circumstances came to my mind during one of the trials, but I don't know just what brought it to my mind, but I might have got there thinking things over. No one connected with the district attorney's office has ever expressed any dissatisfaction with any of my testimony in any trial. The question of immunity never entered my mind at any time. (1932,3)

The reason I followed G's lead in some matters was I looked upon him as the representative of A., to whom I owed my nomination and to whom I felt under a certain obligation. Just before the convention I went to A. for the nomination and was introduced to him and always looked upon him as the man who gave me the nomination. (1933)

I followed G. in practically all matters that came up before the board; on unimportant matters I don't think there would be anything said as to it, but in matters in which G. showed an interest I followed his lead, and when I did so I believed I was carrying out the wishes of A. (1933,4)

In the trolley matter and in the telephone matters, I believed there would probably be some money coming to me. (1934)

The reason I believed that in the telephone matter there would be money for me was I was told so by G. and Wilson, and I was so told during the week that the matter came up in the board and before the passage of the telephone ordinance; the telephone



matter was kind of a mixed up affair, I mean I was told to go down and see Helsey and after I had committed myself to him I was told just the opposite was going to take place. Wilson sent me down to see Helsey. I guess it was Helsey himself who told me how much I was to get from him, but I am not quite clear as to who told me the amount that I was to get from the Town. (1934,5)

I received \$3500 in the same matter from G. before the fire. (1933)

I favored the overhead trolley system and I think I would have favored it before the fire. (1935,6)

I was a member of the board and I think I participated in the action taken on the Geary Street road, and I favored the conduit system for that road, and I don't just remember just the date that was let out, and I think it was before the fire, but I am not certain. The reason I favored the underground conduit for Geary street instead of the overhead trolley was that as I remembered it it came down with the contract all written and the specifications all made for an underground road, and I did not object to it; I remember seeing blue prints and specifications on that road but who they were drawn by I don't remember, but I think Mr. Woodward, and they all specified a conduit system and the plans were drawn for that system; and I never did believe that the underground trolley system was impracticable for Geary street. (1935,7)

The cars were running when the trolley ordinance came up on May 14th; I am sure the Fillmore was running, but I am not positive as to whether Market street or any other branches had opened up; I very seldom went further than the headquarters. I know they were working under a temporary permit from the Mayor. (1937)

I did testify at the first Ford trial on September 22, 1907 as follows: "Q. Mr. Harlock you say Mr. Wilson told you that 'there would be 4000 in it?' A. Yes sir, after the fire. Q. Mr. 'Wilson' A. I think it was Wilson, yes. Q. Anybody else told you? A. G. might have told me. A. Well, he might have, 'did he?' A. I could not positively state whether he did or not. Q. When did you change your mind about who told you-- just now? A. What do you mean? A. Did you ever change it? A. Not that I know of. A. You swore before the grand jury, didn't you? A. Yes sir. Q. Is this what you said there: 'A. The next matter 'I want to call your attention to is the granting of a license 'to erect wires and poles for running overhead trolleys, to the 'H. A. at the time that came up and before the vote did you 'understand there would be something coming through on that? 'A. Yes sir. Q. Do you remember who told you? A. I think 'Supervisor G. told me. A. Did he say how much? A. No, no 'definite amount. A. You understood there was to be some- 'thing? A. Yes sir. Q. You voted for it, A. Yes' that is 'correct. Q. Well, why did you leave Wilson out? A. Wilson 'also spoke to me about it. A. Didn't you testify to that 'because you were told to put Wilson in? A. No; I was told 'nothing. A. Then I will show you as follows: At the first class 'trial when you were talking about the matter did you say this, 'I. And while that was pending before you voted upon it, were







"you promised by James L. G. the son of \$5000 to vote in favor  
"of that ordinance" A. You sir. Q. You agreed to do that?  
"A. Yes sir. Q. You received the money? A. Yes sir." Mr.  
"HENRY. Q. Now, when did you change your mind just now, just  
"now? A. No sir, Mr. Wilson also spoke to me on the trolley  
"business". (1944,3)

I went to the district attorney's office at some of the  
Ford trials, but I do not know whether it was just before the  
third or before the others; the first time I went to Mr. Henry's  
office on Franklin street, and that was quite a while ago, and  
I went there either once or twice and I saw Mr. Cobb there,  
and I think Henry was there at one of the times, but whether I  
talked to him or not I could not say; I was not questioned by  
anyone about my testimony at that time, that is about what  
testimony I was to give. But to the best of my recollection,  
Cobb read over portions of my testimony, but I don't remember  
what portions, but for instance, if it was just before the third  
Ford trial, he would read the trial preceding, that is the  
best recollection I have of it now; I don't recollect when  
the third Ford trial occurred, but I think it was down here on  
McAllister and Hyde street, and I think Henry questioned me  
there; I don't remember that at that trial Henry was engaged in  
the A. trial. I think O'Gara questioned me in the district  
attorney's office, before I was called to the stand in the third  
Ford trial one evening before I went on the witness stand, and  
he went over my testimony, that is he questioned me and he had  
some of my testimony in the previous trial, and he read it over  
and asked me on it, and he read it outloud. (1940-41)

I recollect going to the district attorney's office before  
I was called as a witness on this trial and I think it was two  
or three weeks ago and was in the evening and O'Gara ques-  
tioned me and nobody else was present, and O'Gara questioned  
me then, that is he read from the testimony and asked me if  
that was so, and he questioned me as to whether G. had spoken to  
me and also as to whether I received any money, and I answered  
him and I know he read the testimony and also questioned me, but  
I don't remember which he did first. (1941,2)

#### RECORDS EXAMINATION.

Mr. Cobb is Henry's partner, but I don't know whether he  
is an officer; I never heard of his being; and I could not say  
whether he is Sprockels' attorney or not. (1942)

I remember the blue prints for Geary street road being in  
the office of the board for us to look them over. We had no  
alternative system presented to us, just that one, and we passed  
that one up as the only one that was presented to us, or the  
only one I remember of seeing. (1943,3)

The electric conduit was never put in on Geary street. The  
contract was never carried out; when the Geary street matter came  
up I don't know whether I paid any attention to the question  
of trolley or underground; I know it was the underground system,  
but I did not pay any attention to the merits or demerits. I  
don't know from that contract "come down". (1943)

I got \$5000 from Halsey, and understood he was opposing.



the granting of the Home Franchise, and he gave me \$5000 to vote against it and I kept it and I did not give it back to Halsey and I did not vote against it and I did not vote the way Halsey wanted me to vote, but I did not give him back his money, and I took \$5000 to vote the other way, and I did not give any of that back: it turned out that I played both ends against the middle. (1944-5)

I got \$750 in the gas rate proposition. (1944-5)

I got some of the prizefight proposition. (1945)

I did not get any on the Parkside, but I expected some at that time, but I have long ago got over expecting it. (1945)

#### NO-INTEREST TRANSACTION.

I received the \$5000 from Halsey in the rooms that he rented in the Mills building, they were not my rooms. I do not know the exact talk, but the substance of it was that Halsey said I should vote against the Home Franchise; at the time I took the \$5000 from Halsey, I was led to believe that the Administration favored Halsey's company, and Wilson led me to believe that, and it was after I told Wilson that I had the money from Halsey that I found out first that the Administration did not favor the Pacific States; Wilson did not tell me that the Administration favored the Pacific States, but he led me to believe that everything was all right, and to go down there and see Halsey; that is he told me it was all right and to go down and see Halsey; and I asked him why and he said well it was all right and everything was fixed, and from that statement by Wilson I believed that the Administration was in favor of Halsey's company. It might have been the next day after I received the money from Halsey that I had my next conversation with Wilson on the subject of who the Administration favored; I think it took place at the Cyster Room on Hill Street, and Wilson then told me that the Administration was going to throw over Halsey's company and it was fixed for the Home; afterwards there was a caucus held up on the water, and I think it was on a Sunday night or the meeting on a Monday. I received the money from Halsey during the week and the following Sunday night the caucus was held and at the caucus the majority voted for the Home company. My reason for voting for the Home after receiving the money from Halsey, was because the Administration, that is Mr. L., as I understood it, favored it, I guess. (1944-7)







WASIE ONLY OF SUPERVISOR JAMES GIVEN .E THE CALIFORNIA SERIAL #1436.

Was present when trolley passed to print and think I voted on it; was present on day list at final passage and believe I voted for it; in June, 1906, it was rejected. (1774)

Before trolley ordinance voted upon had a talk with A. at Henry Hall; substance that A. was asking for or were to have the franchise for the conversion of the cable into the overhead; that was all.

My next talk with A. was some few days, possibly a week later; he just told me that it was fixed to go through, and that there would be \$2 or \$10,000 in it for him. (1775)

My next conversation with A. I believe was sometime after it had passed to print. I think it was between its passage to print and final passage but I am not positive, and he then said it was \$4000, brought down to 4000, and I said in reply that I would stand program and vote in favor of it; best recollection this last talk was a day or two before final passage. (1775)

Received \$4000 in two payments from G.; first at Henry's Hall about the 1st of August, 1906. I fix that date from reading the papers as to the time the others get theirs. I could not state the denominations of the first payment. Think I received the second payment about a month later; Henry's Hall; \$4000; I could not state the particular denominations of either payment. I recollect that one payment was in small bills, from 1's to 20's and that the other payment was in larger ones, in 50's to 100's inclusive, but I don't remember of any other amounts than 50's and 100's, and I cannot recollect which payment was the small bills and which were the large ones, and have no way of fixing it; in envelope both times. The small bills were mostly old, to my recollection, used considerably. (1775-7)

About the time, or possibly between the time I had spoken to A., first had a talk with Sullivan one day; I could not say whether before or after passage to print; I brought up the matter, I went to the U. S. offices at Oak and Frederick and asked for a position for a friend, and as I was leaving I just said to Sullivan that I would vote for the overhead trolley, and he said all right. (1777)

#### CROSS EXAMINATION.

I have given all I can recollect of the first conversation with A. It is a fact that he first asked me how I stood about the overhead trolley; and that was after the fire and I think about the 1st of May and I believe my answer was that I was in favor of it; I don't remember telling him then that I was in favor of granting it for the good of San Francisco, and in order to get quick transportation, and in order to permit people to travel around, I only remember saying that I was in favor of it; nothing was said in that conversation to my recollection about money. I did think at that time that there would be money in it.

TESTAMENT IN WASHINGTON, D.C. THE 10TH DAY OF APRIL 1944

THE FOLLOWING PERSONS, BEING OF SOUND MIND AND SOUND MEMORY, HAVE ENTERED INTO THIS TESTAMENT, TO WIT: THE 10TH DAY OF APRIL 1944

BEFORE ME, the undersigned authority, on this day personally appeared the above-named persons, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

My commission expires on this day, the 10th day of April, 1944.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office, at Washington, D.C., this 10th day of April, 1944.

WITNESSES:  
The undersigned, being duly qualified, do hereby certify that the foregoing is a true and correct copy of the original instrument, as the same appears from the records of my office.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office, at Washington, D.C., this 10th day of April, 1944.

NOTARY PUBLIC

I have given all I am entitled to the above-named persons, and they have received the same, and they have acknowledged to me that they executed the same for the purposes and consideration therein expressed.



I did testify at the last A. trial, page 1858, referring to the first conversation with G. as follows: ". You didn't think 'there would be any money in it, did you at that time?' A. No, 'not at that time.' I am speaking now from my best recollection, that was the truth as I recollected it on November 24, 1908, and nothing has occurred to change my recollection, and as I recollect it now, I would want that answer in the A. case to stand as the truth. (1970-30)

I did tell G. in that first conversation when he asked me how I felt about granting the trolley that I was in favor of granting it for the good of San Francisco, or words to that effect and to get quick transportation and to permit the people to travel around, and that is the way I felt; and he did not say anything to me about money then, and I felt that way without money and without the mention of it, and I felt that way without thinking there would be any money in it. (1980)

and after I told that to G. some ten days or two weeks afterwards he came to me and said that was all right, that it was programmed to go through and that there would be \$4000 or \$13,000 in it; and that was after I told him I was in favor of it for the reasons I had given. (1980-1)

We had in that board what was called "program"; that board voted as it was told and so did I, and if I had been told to vote against the franchise, I would have voted against it, and if G. had told me to vote against it I would have voted against it notwithstanding that it was a good franchise. It was a fact that as far as I was concerned that nothing could pass that board unless it was program and if I was told to vote against a thing, no matter what my personal views were, I would vote against it, and if I was told to vote for a thing, no matter what my personal views were I would vote for it. I understood that A. was giving orders through G. (1981,2)

When G. first spoke to me in the trolley I gave him my personal opinion on the merits, that it was a good thing for the city, and that I was in favor of it and ready to vote for it, and he went away and came back a week or ten days or two weeks later and told me there would be \$3000 or \$10,000 in it. (1982,3)

I am sure it was G. who came and told me about the \$4000; No I have never had the idea that it was Wilson who told me about the \$4000; Wilson spoke to me also, my recollection is that Wilson did, but I don't remember his conversation; I am sure that it was G. That is the best of my recollection in the matter, and I regard my recollection as good. (1982,3)

I think my recollection has always been good as to the denominations of the bills that were paid to me; I do not remember the kind of bills in the first payment, have no recollection of it, and could not say if they were large or small. (1983)

I did testify as follows before the grand jury, page 116: "The first one do you remember whether the bills ran small, '20 and then down, or whether they ran large; have you any distinct recollection of that?' A. They were large."



I stated right in the next question to where you ended with that grand jury testimony that I did not remember whether they were large or small, that is I testified as follows: "Q. Do you remember what payment in which you got a 1 and 2 bills, was not that the first payment?" A. Yes sir. "Q. Was one of the payments in which there were a 1 and 2 bills?" A. Yes sir. "Q. Most all of the bills 20 and less?" A. Yes sir. "Q. And the other payment had 100 and 100 bills?" A. Yes sir, "couldn't say whether it was the first payment or the last; as you say one was with small bills. Q. 1, 2, 5 and 20?" A. "Yes sir", and that is my present recollection, I can't tell which was the large or which was the small. (1790)

I was ready to vote program at any time after we were seated. (1791)

I believe I had conversation with outsiders about the trolley matter, talks about the advisability of the granting of the permit, after the fire, and before May 14th, and they were favorable; I would have voted for the franchise irrespective of consideration; I was not really forbidden or urged to vote for anything on the board, I voted just as they wanted me to. Q. Did not forbid; C. never told me not to or to vote for anything; if it was program it seemed to go through. He argued on it and we voted for it. I was in favor of the franchise, and would have voted for it without consideration, and if C. had said don't vote for it, or Vote against it, I would have obeyed him. (1796-3)

It is my best recollection that C. told me how much there would be in it before the passage of the ordinance. (1798)

It is not true that I did not know, or did not understand, or have information as to how much money there would be in the trolley matter until after its passage and it is not true that I merely heard there would be something in it. (1799)

I did testify at the last R. trial, page 994, as follows: "Q. In your Gladstone statement, did you not testify as follows, 'after testifying to the receipt of the money: A. Who said that to you? A. Gallagher. A. And at that time there was pending before the board of supervisors an ordinance-- a resolution to grant a franchise for the overhead trolley. A. After that, month after that, it was for your vote on that measure? A. It was for that, yes sir. A. Before the passage of that franchise, did C. tell you how much it would be? A. No. Q. Did he tell you there would be something? A. Yes sir'. Did you so testify? A. If it is there, I certainly did, but I would like to state if it is allowed, that at the time I went to the Gladstone apartments, it was something that came on us so suddenly and I was in a state of nervous excitement, and had been drinking some, and after consideration I could remember some things that I couldn't then, coming on as it did at that time." (1799, 90)

I testified to the best of my recollection before the grand jury. (1799)

My platform was in favor of municipal ownership, but I never read it, and don't remember having signed any statement







in favor of the principles of the Union Labor Party as expressed in their platform. I presume I made speeches during the campaign and declared myself for the platform, but I had not read it. (1790,1)

I was on the judiciary committee and I never had heard anything about a salary of \$100 a month, or any other sum because of my action on the three cent fare ordinance that was before that committee; I never heard of that suggestion to my recollection until I heard it in court, or read it in the paper, something to that effect. I think it was Coleman I heard testify the other day, and I never heard that suggestion before, I read it in one of the papers, I think, and what I read in the paper was an account of some testimony at some trial, but there was no offer or anything of that kind made to me in that matter. (1791,2)

The first money I got on the board was the prizefight matter. (1792)

Before I got that prizefight money I did not have a talk with G. about his being the official programmer, and treating the boys fairly, I never had any conversation; he stated something to me to that effect, not that he would be the official programmer of the board, but that he was then representing G. and would treat the boys fairly; I did not gather his implication at that time, but I did gather it when he handed me the \$500. (1792)

I don't think that I subsequently had some doubt as to whether he was treating me fairly or not, and I don't remember of any suspicion; Wilson and Lamlock and I sat down in a restaurant and discussed the matter, but I don't think I took an active part in the conversation, I think it was Wilson who took it; Thompson's Oyster Leaf, and either Lamlock or Wilson broached it and either Wilson or Lamlock made the suggestion that Wilson should see G.; and Wilson came back and reported that everything that G. did would be all right. (1792,3)

G. did not take a commission out of my \$500 and I don't know why; I think I had an intimation of it in the restaurant that day when it was spoken about by Wilson and Lamlock; Kelly may have talked to me about it; I understood there was dissatisfaction; I cannot say whether there was a kind of general understanding of the board even back there that they were getting money, I could not say as to the board, I did not speak to a great many of the board about anything of that kind. (1793,4)

Three conversations with G. about trolley; in the first one he sort of felt me out to see how I felt about it, and did not mention money; later he came and said \$5 or 10,000 in it; don't recollect whether it was before the ordinance passed to print or after it passed to print that I had first talk with him but it is my best recollection that it was after it was passed to print before I heard anything definite about the sum which I thought I was going to get; when he spoke about the \$4000 I intimated that I would stand program; I would have stood program in any event. (1795)

The second money I received was in the gas matter, and I think it was \$750, it was in currency, but I do not remember



anything, about the denominations.

(1795,6)

I do not remember anything about the denominations of the prizefight money, not definitely.

(1796)

Next money I got was from Pacific States, from Halsey; how I came to go there was, I think, through Henderson; as I recollect it he came to me two days before the matter came up and told me Halsey wanted to see me and I went down there; I objected to going down, and I believe Henderson made a remark to me not to be a fool, but to go down, and I did and got \$5000 and put it in the safe in my store, and there were all \$100 bills and I subsequently gave some of it back to Halsey; I took it with the understanding that I was to vote against the Home Telephone, and as soon as I found out it was programmed the other way, I changed; I went down and gave Halsey back \$3500 and kept half.

(1796,7)

I looked over my direct testimony on the R. trial I believe it was; I had it for about half an hour. I have had other testimony at other trials; got it from the District attorney's office before the R. trial, I think. I looked over my police court testimony; don't remember as to the testimony in the Ford trials; I have looked over most of my testimony. A week ago I looked over it just because I wanted to look over it; yes I have not seen my grand jury testimony for about a year, but I got it out of the vault and kept it and read it occasionally just to refresh my memory; possibly read my grand jury testimony over from time to time half a dozen times. I guess it is right that before every trial I have been in a habit of going over my testimony, or as much of it as I could get; and I testified bearing in mind the recollection of reading my testimony; as to some facts possibly; others I could not forget. I might have given my grand jury testimony in 30 minutes. I have not talked over my testimony with other supervisors, not to my recollection. I talked to Wilson out in front the other day for half an hour or so, and two or three times; I talked with Kelly, Harrigan, Walsh and Coleman; but not about these matters. There might have been a casual remark made about the trial going on, but nothing as to the testimony. I last read my testimony at my place of business. The testimony I again read over was the R. testimony which was given to me by Charles Oliver, who is connected with the prosecution, and I guess he is one of Burns' men and I told him to get it for me if he could, and that must have been ten days ago that I told him, and it was after the trial was going on and after I appeared here in court; I got it from him right here and took it to my place of business; I got it at half past twelve and perused it and brought it back at two; I think it is just the Huef testimony that I read before this trial. I think I read over my testimony in the police court before the R. trial, probably twice. I don't remember what testimony I read over before I went down in the police court, and cannot recall if I was furnished with any testimony then.

(1797-1802)

I have talked with my prosecuting officer from time to time about my testimony. Before the third Ford trial someone telephoned to me that Burns wanted to see me and I went to his office, and I think my testimony was handed to me







to look over; I cannot recall if the same thing happened in a general way before the second Ford trial, but it is my recollection that usually before a trial I perused my testimony.

(1900)

Am testifying under a contract of immunity, but don't know anything about its legality, and have not heard Haney say it was not legal, but he might have. I don't recall it is the police court. (Haney now makes the statement that in his opinion the immunity contract is not legal.) I now understand that I am testifying under a contract that is not legal, and I cannot enforce, and I believe if the district attorney wishes to prosecute me he can; he has not done so so far, nor has he indicted me; I suppose they are the judges as to whether what I tell is the truth, and I understand I could not sell back on my immunity contract, and that is my state of mind at the present time.

(1900-17)

I first heard of the immunity agreement around March 1934 or 1935, but I did not see it there; I came to hear of it first through G., I believe, yes, through G.; he told me he was negotiating with Sprockels, and that he had gotten that immunity contract, but he did not tell me that it was legal, or that it was illegal; I thought when I gave my testimony that that it was legal, and I think this in the first instance I have had that it is not legal, but Haney may have said it in the police court. I supposed that the contract that Sprockels and G. had arrived at was in writing. I first saw it on the evening of July 20, 1937; there was something said about our remaining in office, that we might be allowed to remain in office, and the intimation we got was that that was part of the agreement. I did not understand we were told that we could remain in office or that it was in the immunity contract, I believe G. stated something to the effect that we might be allowed to remain in office, or would be allowed; I can't say that I did understand that it was the positive agreement that we were to be allowed to remain in office; I don't remember of anything being said about the money in our possession, but I had some sort of notion concerning it, but I did not have the notion that it was going to be taken away in any way, that idea had not occurred to me and nobody suggested it to me. I did not know of any understanding that while we remained in the board G. was still to direct our actions; I knew that he still directed our actions; I know that what he told us to do we did, and what he told us not to do we did not. I did not have any understanding about where G. was getting his orders from but the way I felt about it was that he was getting his orders from Sprockels, or possibly from the district attorney's office or Sprockels, I did not know which, I was still a programmer and followed G.

(1904-8)

I made that affidavit but I did not hear it read or read it; I think I heard it read for the first time in one of the Ford trials. I signed and swore to it without knowing what was in it, I was taking program then and I signed it at the request of E. and didn't ask about it; swore it was the truth; I guess I would have done anything that E. asked me to in that line. The whole idea in all of these matters has been one of program.

(1906, 7)

1. The first part of the report is a general statement of the work done during the year. It is a summary of the work done by the various departments of the institution, and is intended to give a general idea of the progress made during the year.

2. The second part of the report is a detailed statement of the work done by each of the departments. It is a summary of the work done by each of the departments, and is intended to give a detailed idea of the progress made during the year.

3. The third part of the report is a statement of the work done by the various departments of the institution, and is intended to give a general idea of the progress made during the year.

4. The fourth part of the report is a statement of the work done by the various departments of the institution, and is intended to give a general idea of the progress made during the year.

After reading my grand jury testimony on the subject with regard to when my conversation with Dr. Bullaly was with respect to getting employment for a man etc., it was right at that time while the trolley was before the board. (1808)

I have no recollection of when the application for a trolley was filed with reference to the time that it was passed to print. (1808)

I have no recollection at the present time as to whether any application was on file prior to the day on which the ordinance was passed to print. (1809, 0)

I had not heard of any talk among members of the board in regard to the trolley matter, or whether there might be any money in it prior to the fire. (1809)

I have not looked over the files of the papers for March and April prior to the fire 1896. (1809)

In regard to your question whether I have any recollection at the present time as to whether the newspapers had accounts from the middle of March to the day of the fire in regard to the U. K. wanting to secure the overhead trolley for Market street I say I think that I do remember of some editorials being published in some of the papers at that time, but what the articles were at this time I could not state. I do not remember of any publication of purported letters from Calhoun to Shelton and don't recall any offer by Calhoun towards the park schedule. I was reading all three of the papers at that time, and I have no recollection as to whether such publications caused any talk among the members as to whether there might be money in the trolley matter. (1809-11)

I heard a discussion after the fire and prior to the passage to print to the effect that the U. K. would not be able to start up the street railway on Market street for a year if it used the cable; different people around that I came in contact with discussed that, but I don't remember any one in particular; it may have been discussed among the members, but I cannot recall whether it was among the members or outsiders, but I know that I got that impression that it would take all of that time. (1811)

When I had my first talk with S. I had the impression it would take them a long time to get transportation under the cable system and I got that impression from talking to people etc., and that it would take a year or more, but I cannot remember any such conversation among the members prior to May 14th and after the fire. (1811, 12)

Since I testified in the last trial nobody connected with the prosecution has talked to me about my testimony in that case, or called my attention to it nor suggested any change in it; since I made my statement in the CI didn't nobody connected with the prosecution suggested any change in my testimony or that it was not right, or anything to that effect. No one has suggested to me as to how I should testify in any of the cases. (1812)







Before the matter came up on May 14, 1906, for passage to print, I did not suggest to any other member that I ought to get some money out of it, or that I ought to delay it until I had received some money in case the matter came before the board, and nobody suggested it to me to my recollection. (1817)

Why I felt under obligations to take program in the board from G. was that I owed the office to A. and G. informed me just prior to or after my induction into office that he was representing A. on the board; in case A. gave me different orders from G. I would follow A.'s orders, and the reason that I followed G. up to May 14th on the board was that I understood and believed that he was representing A. (1818,18)

I don't understand as to the program being settled at the caucuses except to this extent that anything that was pending before the board, or about to come before the board was discussed at the Sunday night caucuses, and as it went through the caucuses it went through the board, and it was the understanding that it would go through the board as it went through the caucuses. I attended practically every one of these caucuses. In answer to your question whether I understood what each of those caucuses where it was determined upon what would be done in the board the next day, that the board acted in accordance with Mr. A.'s desires, I say that was the way I acted, and I always acted with the majority. There was no secret made of the fact that A. was attending those caucuses. I don't remember of talking over with anybody as to whether I was ready and willing to take program from A. or as to what I would do in following A. (1819,14)

As to your question whether from the time I received the money in the prizefight down to May 14, 1906, it was my understanding that A. was selling the votes of the majority of the board in those matters that were coming before it in which I was receiving money, I say I felt that he had got the prizefight money, and it was my own impression that as to my money after that that he had done the same with as he did in the prizefight. (1814)

I know it to be the fact that prior to my taking office the prizefight permit was granted each month separately, and that there were four or five different parties in the field, and that I understood that each party obtaining a permit was required to pay to the city a license of \$1000 a year, and I understood that in 1906 the permit for the entire 12 months was granted at the one time to the combination of the four, who had previously been competing for the permits; but I did not understand that by that combination those men instead of paying \$4000 for the license to the city were only paying \$1000, this is the first time I was so informed. I understood that this ordinance granted the twelve permits for the year to a single combination. (1815-17)

Previous to my grand jury testimony nobody talked to me about my Gladstone statement, and nobody talked to me about what my testimony before the grand jury was going to be. (1817)

I don't recollect when my talk with MacLack and Wilson in the restaurant took place with reference to my receipt of the telephone money from Halsey. (1817)



After I received the money from Wilson, I did not have any talk with C. about it, and I don't remember of having any talk with any member about it. (1217)

I don't recollect of having any talk with anybody before I attended the Sunday night caucus on the telephone matter as to whether or not I was going to change my vote from the way I expected to vote when I took that money from Wilson; my recollection of what led to changing my vote is that C. spoke to me previous to the caucus and in the mayor's apartments, and said that it was proposed or fixed that the Home Telephone Company was to get their franchises, and I think he then stated that there was money in it, but I don't remember of his stating the amount. (1217,18)

C. afterwards gave me \$1000 in the telephone matter; before he gave me that I think I did learn from C. what the amount was to be but I don't recall when that was. I think that George Guffy mentioned to me after or about the time that I got that money from C. that he had got \$6000 but I do not recollect if that fact came up in the talk between Wilson, myself and myself. I believe I did have a talk with C. about what I had heard about Guffy receiving \$6000 while I only received \$1000. (1218,19)

After a little conversation with Wilson we sat down and he said in substance that he wanted me to vote to protect the interests of the Pacific States as against the Home, and we talked for a minute or two and I said that I would and he passed to me an envelope and said there was \$1000 in it, and I immediately left; he said nothing at that time about my more coming; that was in the Mills building, the officers appeared to be the subject except table and a chair in one room and some boxes and a telephone in the other. (1223)

Now I came to return half the money to Wilson and that he spoke to me about it and I told him that I would give him back that, he said I ought to give him back that much, and I said all right, and I did. (1224)

By recollection of the talk with Wilson and myself at the restaurant is that Wilson mentioned something about C. turning out \$5 out of the \$1000 that came from C., and suggested or else Wilson suggested, that Wilson go and see R. The only reason given was that they did not know that C. had given \$1000 or more to C. to give to them. I do not recollect as to whether or not at that time I had received any money besides the principal money from C. My understanding of what Wilson was to find out from C. was if C. was giving to the members what C. had given to him. If he was doing fairly. (1224)

I have not considered the legality or illegality of the immunity contract while testifying here, and it would not have made any difference in my answers if I had considered that matter. (1225)

I understood that I was getting immunity from the district attorney's office. (1226)

In answer to your question that I say I thought C. was directing our actions after we testified before the grand jury,







I say I didn't say, that I understood he was to go over our  
 matters. I said that I said. I mean as I saw Gallagher coming  
 and visiting. After I testified before the grand jury and up  
 to the time I went out of office, A. did not attempt at any  
 time to induce me to vote for the granting of any franchise  
 or permit or for the revoking of any franchise or permit, nor  
 did he endeavor to control my vote in any matter, or to cause  
 delay on any matter that I knew of. (1022)

I did not know at the time that that affidavit was to be  
 used in the case of Leander against the members of the Board  
 and A. and I did not question at all as to its purpose; it was  
 Keene who told me to sign it and he was clerk of the board  
 at the time, and I understood he was very close to A. and he  
 had been secretary to the mayor, and I knew he had been in A.'s  
 office before, and it was my understanding that he and A.  
 were close and I got the information from Keene that this affidavit  
 came from A. and Keene told me that there was a paper over an  
 Auburn's office, and wanted me to sign it. (1024)

I am not following anybody's leadership in testifying as  
 a witness in any of those cases, and I am not taking orders  
 from anybody and it has not been intimated or suggested to me  
 in any way from any source that I should, and I would not do  
 it if it was. (1026, 7)

RECORDS SUBMITTAL.

That talk with Mullaly occurred in the office of the  
 and Sebastian, and my purpose in going out there then was to  
 get a position for a young man by the name of George Reed, and  
 Mullaly said he would put him on as time-keeper amongst a lot  
 of laboring men. I asked Mullaly for a job for him and  
 he said he would put him on; I understood Mullaly was employing  
 large numbers of men at that time, and at that time the com-  
 pany was working on its lines on Hayes street, some of the  
 district lines, I think just as I was about to leave I said that  
 I would vote in favor of the Leality; I brought it up; he had  
 granted me the request about the man and I said that remark as  
 I was leaving, and he just said all right, or possibly thank  
 you. I think at that time they were working on Hayes street,  
 but I can't know whether they were working elsewhere or not.  
 I did not leave in the neighborhood of Hayes street then, but  
 out near the park. I think it was construction work on  
 Hayes street. (1027-3)

I cannot recollect who spoke to me about the time it  
 would take to get a cable system going, but I got the infor-  
 mation that it would take probably a year, and it was my idea  
 then that if that permit was granted, transportation would be  
 resumed very much sooner, and the conditions of the town and  
 the need of transportation and all that after the fire, all that  
 went for making me favorable to the permit. I had a friendly  
 feeling towards the company on account of the disposition they  
 had shown towards rehabilitating the city, and I understood  
 at that time that the U. S. had donated \$25,000 to the Relief  
 Fund, and I had heard that they were feeding people, but I didn't  
 know how many, and I had heard that they were maintaining kit-  
 chens and supply depots for those who could not get eating any  
 place else, but I had never been over there. I have heard



that occasionally a poor fellow would wait out there and get something to eat, but I did not go there myself, as I had a place to eat elsewhere. At that time I had heard that the U. S. had been allowing out the streets and running its cars at first free, and I heard that after the collection of fares commenced, the entire proceeds were being given to the relief fund for some time.

(1929-31)

At the time the ordinance came before the board the first time I think the room was pretty well filled with people and I believe there was cheering and clapping of hands at the passage of the ordinance.

(1931)

I remember about the time the cars started on Fillmore street, but I was not in the neighborhood at the time and so don't know of the manifestations of popular approval.

(1931, 2)

At that time all the streets were well filled with debris and pretty much of San Francisco was a heap and mass of ruins.

My idea as to the cable lines prior to my leave in the burned districts, was that some of them were in bad shape, worse than others; for instance, on Howard street near Alameda, but was not so bad on Market, and some of the other streets; there was a cable on Howard street. In the lower part of the city tracks had sunken and were drawn out of line and everything of that sort.

(1931-3)

I did not say it was my understanding that the tracks were sunk on Market street; I said I thought from my observation the track was in pretty bad condition on Market street.

(1931)

THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY  
CHICAGO, ILLINOIS  
JANUARY 1, 1925

TO THE EDITOR OF THE JOURNAL OF CHEMICAL PHYSICS

I have the honor to acknowledge the receipt of your letter of the 29th inst. regarding the article on the subject of the photochemical reaction of silver chloride.

I am sorry to hear that you are unable to obtain the results which you desired.

I am sure that you will find the results of the experiments which I have described in the article to be of interest to you. I am sure that you will find the results of the experiments which I have described in the article to be of interest to you.

Very truly yours,  
J. H. VAN VLECK













Complete Testimony of Supervisors  
Davis, McGushin, Harrigan, & Boxton  
at the  
Calhoun Trial (1436)









COMPLETE TESTIMONY  
OF SUPERVISORS

DAVIS

LOGUSHIN

HARRIGAN

BORTON

at the

CALOUN TRIAL (1436).



I N D E X .

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TESTIMONY OF SUPERVISOR DAVID GIVEN AT THE COLLINS TRIAL #1456.



I knew Schmitz for several years before I became a supervisor. He was president of our organization and I was secretary, the Musicians' Union, I had known him several years but not intimately. - - - - - (1490)

I voted for the passage to print on May 14, 1906 of the overhead trolley ordinance. - - - - - (1490)

Q. Now before the ordinance came up in board had you had a conversation with anyone concerning the ordinance? A. Well, we had a conversation. I cannot remember in particular with whom, but among the supervisors there was talk that this ordinance was to be presented. Q. Did you have any conversation with any individual where an amount of money was named, a definite amount? A. I cannot recall the individual, but there was that conversation. Q. I am not speaking of that previous conversation, but before the vote was taken on the ordinance? A. Before the vote on final passage I had a conversation.....I mean final passage on May 21st; that was during the holidays before that final passage. Q. With whom did you have that conversation? A. I had one conversation with Wilson..... it took place in Mowry Hall. I cannot fix the day only from my best recollection I believe it was between the passage to print and the final passage, but as to whether it followed the passage to print one day or three or four, I cannot recall. What Wilson said to me then was he told me there would be \$4000 paid to each supervisor. - - - - - (1490 - 2)

I subsequently received \$4000 from Gallagher in two payments; the first payment was made probably five or six weeks after the final passage of the ordinance. I would judge quite a while afterwards. I do recollect that the ordinance was passed in June after the holidays and I believe that the first payment was made from five to six weeks after the final repassage in June, the money was paid for that, I believe; my recollection is not very accurate and I have no way of fixing the date of that first payment. It was made in Mowry Hall and was \$2000 that first payment and was in United States currency; small denominations, I believe, from \$2 up to about \$20 bills. Q. Any ones? A. Possibly; I would not like to be sure..... I could not even testify as to what denominations predominated. It was quite a thick package and was paid to me in a large white envelope, and when Gallagher gave it to me he just said it was paid for the overhead trolley bill. - - - - - (1492 - 4)

The second payment was made some weeks after the first payment, but I could not testify accurately to that either. He handed me another like parcel in a white envelope, \$2000. That was some weeks after the first payment. It was in United States currency, and was in large bills; as near as I can recollect there were hundred dollar bills and there was one \$500 bill, as near as I can recollect; possibly there were some fifties, but I would not be sure, but I know they were large denomination bills. I believe they were 100's and one 500. There was not any bill less than \$20 in that second payment, it was made in Mowry Hall. - - - - - (1494)





In answer to your question whether I had any talk with Gallagher before the final passage of the bill on May 1st in relation to the bill, I say I cannot remember any more than Gallagher telling us to vote only that he mentioned that that bill was favorable and that we should vote for it. I cannot recall the exact conversation of Gallagher. - - (1494)

#### CROSS EXAMINATION.

I would not exactly put it that way to say that there had been some talk among the members of the board that the trolley was coming up and there ought to be something in it; I think there was some conversation about it that there would be something in it. I had a direct statement from Wilson as to how much there would be in it; that was after the conversation that there would be something in it and they had mentioned various sums. Wilson told me there would be \$4000 paid. There had been some conversation as to the amount and they had mentioned \$5000. I believe at one time some mentioned \$8000 and Wilson spoke to me and said there was going to be \$4000 paid on that to each man. In answer to your question whether he said he had heard that or that he knew it I say that he said that he had heard that. - - - - - (1495)

Q. Were you told by Wilson that there was going to be some money in it? A. Well, I would not say that Mr. Wilson came to me direct to say there would be money in it. I had heard that before Mr. Wilson spoke to me. Mr. Wilson's information to me was ~~that~~ in this general conversation that each man was to receive \$4000. Oh, no, that was not general. It was personal with me. I did not have more than one talk with Wilson about the amount of money, I don't think, but we had spoken about the overhead trolley, I had spoken to others.

(1497)

I testified in the first Ford trial commencing at the foot of page 422 as follows: "Q. Somebody told you-- I don't suppose they told you that A. had some money, that somebody told you there was going to be some money, but you didn't have any promise of any did you, what you would call a promise? A. "Well, not a direct promise, no, nobody in authority promised anything. Q. They were simply told by Wilson there was going to be something in it? A. I would not even make it as strong as that; Mr. Wilson did not make any promise. There may have been various conversations among the board in reference to this ordinance, and in a conversation with Wilson one day a general conversation there was some talk of paying more than what they did. Q. Tell us about that? A. Well, \$5000 is what I heard they would pay and they were talking it over and Mr. Wilson said he heard they would not pay over \$4000; that is the only conversation I had with Mr. Wilson." That I believe is the testimony as I gave it except that the words "general conversation" would imply that we were talking in a body and I don't think that ever happened, but otherwise the testimony is exactly as I intended it should be. Our conversation was only between the two of us. - - - - - (1497-1501)

I testified at the second Ford trial, page 732 as follows: "Q. What members of the board talked to you about it? A. Well, I have a little recollection of speaking to Mr. Wilson. A. A little recollection, did you so testify at the last trial? A. I suppose so. Q. Well, then your recollection about Mr.



"Wilson are kind to you about it is only a little recollection, rather value and six, is it not? A. That is what I am trying to impress upon you right now, is that Mr. Wilson's conversation to me did not appear as though he was authorized; it was a general conversation. He took me on the side and spoke privately. He spoke of the money. Q. What did he say about that? A. He said that he understood there was \$4000 each supervisor would receive." - - - - - (1501,2)

The first payment consisted of small bills, I should judge from \$2 up to \$20; possibly there were \$1 bills, but I would not be sure. I testified before the grand jury that the bills were all of a larger denomination. I testified at page 795 as follows: "Do you remember that in one of those payments the bills were small bills among them \$1 and \$2 bills?" "I don't think any of mine were that way, no. Q. As to one of these payments, or very few \$30's? A. No, I cannot remember that; I believe mine were more large denominations. You may have it confused with the number of payments you got the large bills? A. Possibly". That is it. I tried to explain that in the various trials when you show me that same testimony before the grand jury that I believe I was confused when I was taken before the grand jury, but later I tried to recollect exactly how the bills were paid and it did come to my memory that the first payment was made in smaller denomination bills and the second one of larger. Q. Your recollection on that subject was slightly refreshed, was it not, by hearing Mr. Heney's opening statement, or some of his statement during the first Ford trial? A. No sir, it was refreshed more by the testimony..... not by Mr. Heney, by the other supervisors; not by the mint officials, and I understood afterwards that they are making the claim that they could trace small bills, \$1 and \$2 bills to the supervisors. Q. You understood it after the grand jury? A. Oh, it was after the trials had begun. Q. At the time you were before the grand jury, you did not understand that that was there claim? A. I did not understand that that was of such great importance that I was to remember it accurately. Well, Mr. Heney or somebody asked me in the grand jury if I could possibly be mistaken and I said possibly as relating to the bills, to the denominations I believe it was, because I was thinking of the last payment which was in large denominations, but I said -- testified before the grand jury as follows: "As to one of these payments, no \$bills or very few bills \$20? A. No, I cannot remember that; I believe mine were more larger denominations." I won't say that that was a matter of subsequent recollection after I understood it was important for the prosecution; it was a matter of recollection as to my efforts to tell the truth. - - - (1502,4)

As I left the stand, Heney called me over and asked me a question, not anything I had testified to, some recollection of something that wasn't in relation to this case, it was a talk about Wilson. I had been testifying about Wilson's conversation with me, but Heney's question to me was, I think, more in relation to the telephone company. - - - - - (1504,5)

I was an advocate of the conversion of the cable into the trolley before the fire, and I believed in the conversion of the Sutter street into a trolley system before the fire and so expressed myself. After the fire I was in favor of the







general conversion and resumption of traffic. I was in favor of the overhead trolley being installed in any event, and I would have voted for it in any event, and I believe I would have done so irrespective of any money considerations. It would be hard for me to say now what I intended to do, but I honestly believe I would have voted for it in either event. I did say in the second Ford trial at page 740 that I would have voted for it anyhow, and I would. I had no occasion to express myself publicly to that effect before having become a public official, but I had expressed myself to various parties at the time the Sutter street matter was up for consideration, that I was always in favor of the overhead trolley as against an underground electric system. I was against the cable and I was against the underground electric system, and in favor of the overhead trolley. One of my reasons for the underground electric system was living in Denver some years ago I saw that tried and it was an awful failure. They tried for a long time there but it was an awful failure. Many years ago when the conductor had to jump out and blow down the slot and blow the fires out where the fires were burning and the cars had stopped. My observation had not been extensive of the underground system outside of that. - - - - - (1505,6) >

I am testifying under immunity, and it came through Gallagher. On the day that some of the newspapers, the "Chronicle" I believe, had published an article where in some supervisors had been trapped through these skating rink ordinance, one morning in 1907, I believe it was Mr Gallagher called us together suddenly and told us that some supervisors had been trapped and he did not mention any names, could not mention any names, and he said it became necessary for us to make a clean breast of everything and tell the exact truth although it implicated him more than anybody else because he had been the man that paid the money. There was very long discussion among the members, and Gallagher said there was nothing to do but go ahead and tell the truth no matter whom it hurts, and at last he said he would go out and meet Spreckels and we asked whether R. should be made a party to the immunity and he said he would go out and bring us back the answer at a certain time. And when he came back in the evening I believe he said he had a long talk with Spreckels at the Presidio and Spreckels had said that we should come and tell the truth, that it was a matter of public policy that every man would be granted immunity, that he would not be asked to resign his office and -- Q. Keep the money? A. Oh, yes. Well, I don't know if the question of money came up at that time, I don't think it was mentioned, because some had lost it already and could not pay it back, but he told us that we should go and be called before the grand jury and tell the truth and we would be granted immunity.

Q. Was R. in it? A. No, he came back with the statement that R. had refused. The idea at the time was that R. and Wilson should go to the St. Francis where R. was confined and he came back and reported that R. had refused to be a party to it..... Oh, yes, he said that Spreckels had said that R. could have immunity just as ourselves, it was my understanding that he said it was to include R. if R. would come and tell the exact truth as to his connection with the matters. Q. Did he say that Spreckels said he was not after you or R. and that he was after the public service corporations? A. Well, he said he was after the higher-ups as they expressed it then.... I don't think he mentioned which higher-ups he was particularly after to us.



I signed an affidavit at Fuhrman's office, but I did not read it at that time, and I did not know what was in it, and it was not read to me. Keane told me I was wanted at Fuhrman's office right away, and that day K. had tried to oust Langdon from office and Langdon had taken some legal proceedings, and I went there and saw a lot of the boys there and they told me to sign the paper, and I knew there was a lot of legal proceedings going on, and we were generally following K's orders, and we signed, and I signed among the others. I knew the general contents were to the effect that we were denying anything that had been said against us and I understood the purpose of that was to prevent Langdon from being ousted. He did not look at it at the time that if Langdon was permitted to remain he might prosecute the supervisors, as at that time we believed things were not known. My idea was not even to a certain extent to prevent an investigation. Our idea at that time was simply to help K. in what he was trying to do.

(1506,9)

I had been requested by people to vote for the trolley ordinance. At that time the trolley ordinance was before the board and several people said that they thought it was a very good idea and that we should vote for it. Q. .... were you requested before May 14th, before the matter came up in the board for a vote, to vote for it and after the fire? A. Well, I had requests-- I had heard favorable comments for that ordinance when it was under discussion, when it was in the newspapers, was being discussed by the board. .... It was my idea that the public and my constituents demanded it under the circumstances, and I had been requested by individuals to vote for it. I remember one man in particular that spoke about it and he was a milliner, I believe, and represented Lobel's millinery, and he made the remark to me one day on Fillmore street that he hoped us fellows would pass that overhead trolley, but there were others that spoke to me at various times that I cannot recall.

(1509,10)

#### RE-DIRECT EXAMINATION.

There was a general talk about K's action the day before the affidavit was signed, and K. told me to run over there right away and sign the paper, and the notary asked me whether that was my name and whether I swore to the affidavit, and I did. I knew Keane when he was private secretary to Mayer Schmitz. Then he became Clerk of the Board, and when I signed the affidavit I knew that Keane had been in K's office and had been Secretary to Schmitz and I believed he was generally representing K. as well in that matter of signing the affidavit and various other matters before the board.

(1510,13)

What it is that makes me believe that in the first payment I received small bills is that after I read the testimony of the others, my mind came back to the fact that the first parcel of bills received was larger and it consisted of smaller bills and it was brought back to my recollection by the fact that these men had testified to it: when I was asked the question before the grand jury, I did not look into it so deeply; I thought more of the second package of bills. I read the testimony of the other trials only in the newspaper. I did read the "Call's" report of the third testimony before the grand jury when it was published the first time, I think after the Glass trial before we left office, but I would not like to say whether







it was before I testified in the first Ford trial. (Stipulated "Call" of April 26, 1907.) I would judge that I read the testimony of the other supervisors as to the first payment in the trials, I could not say after that; it was after that was published in the Call I believe, the trials took place after that. I am not talking about the Glass trial, which I believe was the first, but of General Ford's trials. (1513,14)

I was in business at the time these payments were made to me. I placed the first of these payments in the safe deposit box at the Western National Bank and then I deposited gradually them as I came to arouse no suspicion. I also used some of the bills in my business and that was also one of the reasons I used some of the smaller bills after the first payment. The second bills I put through the bank. It would be hard for me to say when the fact of using some of the small bills came back to my mind the first time, and I have no way of placing any time; it was after I read the testimony of the other supervisors which brought it back to my recollection that the first payment was made in small bills. (1514)

When Wilson told me that the supervisors were to receive each 4000 I believed that would turn out to be the fact. I had no doubt at all that I would receive 4000 after I heard Wilson say it. (1514,15)

It was while I was living in Denver that I gained some knowledge of the attempts to run an underground conduit system. I knew that many improvements are made in such things in the course of time. I had only tried to inquire whether the system was a success in various cities, and the best I could find out was that it had probably been used in Washington, I think, and I had looked into it and found that if it was used at all it was used in only one or two cities, and was not a great success, and I found there that the larger cities in the United States and other countries were not using it, and that seemed to me to be proof that it was not a popular or successful system. Up to the time of the fire, I had not heard that there was to be a proposition to make the system an overhead trolley; I did not hear of it until after the earthquake and fire, except the Sutter street system, and at the time I was not a public official, and before I became a public official and when I heard that there was talk about the overhead trolley on Sutter street, I had made up my mind that the overhead trolley should be installed on Sutter street rather than the underground, and I expressed myself that I thought it was a good idea. It was simply an opinion of my own. Up to the time of the fire, and after I became a supervisor, I had not learned that the underground electric system was in use to the extent of perhaps 200 miles of roadway in New York City, and I don't think I heard much upon the subject as to the use of the underground system in New York before the fire. I do not remember having heard it was used in New York, but I have heard of its being used in other cities but very small, and had never heard of its great success. I do recollect that the board awarded a contract for the installing of the underground system before the fire, and I voted on it, and I was in favor of the installation of that system there, because I supposed it to be the improvements that would be made, the municipal ownership of the road. I do not remember of G. making a speech in the month of February 1906



in the board on the subject of the underground electric system for the Geary street road, and I do not recollect his expressing himself in favor of the idea, I have no recollection of it at all. (1515-17)

As to these conferences or caucuses in relation to the immunity, I could not tell you the date, but I can tell you the circumstances; the first one took place on the day that the "Chronicle" had a report which spoke about three supervisors being trapped in relation to the skating rink ordinance, Borton, Walsh and Lonergan and on that day that first conference took place. There were three conferences, I believe, on that subject; I believe two that same day, and one on the next day, but I am not positive. (1517,18)

I recollect going to the Gladstone and making statement on the 16th of March, 1907, and it was probably one day before that that the supervisors had the first one on immunity; it was in the very immediate time of the Gladstone statement when we had our conferences, within that week positively. (1518)

Before the overhead trolley ordinance came up in the board, nobody whom I knew to be an officer or employe of the U. R. spoke to me in the matter of my vote on it. (1518,19)

#### EXCESS EXAMINATION.

I had heard something about the conduit system in Berlin having been put in and then taken out within recent years because it was an absolute failure; I won't say it was Berlin, but I had heard of some city in Europe where it had been tried and taken out again as a failure; and I believe I heard that in Glasgow and Edinburgh it had been tried and taken out as a failure. (1519)

I did not understand in any of my investigations that 90 per cent mileage of electric street railroads in this country, in fact in all countries, was overhead and only 2 per cent conduit, I did not understand what the percentage was, but that was one of the things I did study, that it was so small, that the overhead trolley was so largely in use and was a success and that the underground was not a success and was not largely used. I took it as one of the evidences that it was not a successful system; I am not sure of Berlin. (1519)

There was nothing in Mr. Wilson's conversation with me to intimate to me that he claimed to represent the railroads in this matter of 4000 or 5000. Q. How did you believe him to be acting? A. I believed he discovered from some other source how much money was to be paid and he was giving the information as one supervisor would to another. (1520-21)

#### FURTHER REBUT EXAMINATION.

My understanding was simply in a general way that the underground electric system was used very small throughout the country while the overhead was used largely, but I had no idea about the percentages. I never had the extent of its use in downtown districts as compared with suburban districts brought to my attention. I have not been at New York City within the







Last ten years. I had not heard at the time the trolley came up for passage to print, on May 14, 1906, that in Budapest, Hungary, the underground conduit had been in existence ever since 1889, and was a perfect success and I had not gone into the subject so deeply as to have heard that eminent engineers had gone to Budapest and studied the question, and come back and adopted the new ideas and the new lines and that from that time on Washington had no trouble at all. (1521,2)

I had not read in the newspapers that the underground conduit was being installed in London. I had not made any study of the subject particularly. I relied upon the information I had from what I saw in Denver, and on the information that was brought to us while we had this matter under consideration. I think I had read in the newspapers of San Francisco prior to the fire that the Better Street Improvement Club was insisting upon having an underground conduit for Better Street. (1523)

I only have an indistinct recollection that a corporation was organized by Charles Spreckels and Rudolph Spreckels and James L. Phelan and others with a capitalization of \$14,000,000, with an offer to install the underground conduit in San Francisco and demonstrate its feasibility and utility, with a condition in it that the city could take it over and own it any time by paying cost plus interest, I had only an indistinct recollection of something of that kind happening at that time. (1523,151-3)

I did not read in the "Examiner" of the morning of the earthquake that the articles of incorporation for \$14,000,000 had been filed the preceding day in Sacramento, and I have no recollection of reading in the "Examiner" of May 9th that Mr. Spreckels said they were ready to go ahead with the underground conduit if the people wanted it. (1523)

During the time from the passage from print until May 31, 1906, the date of its final passage, I remember there was much opposition on the part of the "Examiner" to the franchise being granted for the entire term of the then existing franchises for Better Street and Market Street. (1524)

I would not be so positive about the fact that all of the daily newspapers, both morning and evening in San Francisco had opposed the overhead trolley for Better Street from early in 1905 down to the date of the fire; I knew there was opposition to the overhead trolley system, and there were articles that appeared in favor of the underground electric system. (1524)

I did not make a speech on Feb. 19, 1906 in the board, in favor of the underground conduit for Geary Street that I remember, and I don't remember G. speaking the way you state, but it may have taken place, and I don't remember an occasion when the Geary Street matter came up when practically every member of the board got up and made a speech in favor of the underground conduit. (1525)

#### FURTHER EXPLANATION.

I was in Chicago two or three times but only two or three days at a time. As to the agitation that was going on there with respect to the underground and overhead trolley, and the



installing of the trolley as against the underground conduit in Chicago at the very time the agitation was on here, I have only a recollection in a general way, speaking of the success of the trolley system rather than the underground, I don't think I read the "Examiner" on the morning of the earthquake. (1885,8)

I did not quite understand that Spreckels announced his intention to superintend his railroad system upon the system of the N. Y. etc., but I had heard some talk to that effect.

(1885)

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TESTIMONY OF DEFENDANT MCCUSKIN GIVEN AT THE COURT ROOM #1456.



I voted on May 14, 1906 for the ordinance; it was placed on final passage a week later. I do not remember having any conversation in relation to the ordinance with any member of the board, except Mr. G., who approached me on the subject, before the matter came up in the board on May 14th. I did have a conversation with Gallagher at Mowry Hall, and it was possibly a day or two before the matter came up for passage to print and what he then said he mentioned the trolley matter and asked me how I felt on it, and I said I was going to vote in favor of it and that I had my mind made up to, and he said "I am glad we are going to have a unanimous vote," and he said "You will be remembered", or some words as near as I can recall, and I said "That cuts no figure whatever, I am going to vote in any case." (1506-8)

The ordinance was repassed in the month of June to print and then finally repassed. (1509)

I received \$4000 from G. in two payments, and the first of them as near as I can recollect was in the month of July, but I cannot recollect exactly, as I never kept the date, or note of it; and I cannot fix it, but it was perhaps the middle of July; I could not be certain whether it was the middle of July or the beginning; the first payment was made to me at Mowry Hall and was in an envelope in United States currency and the denominations were fives and tens, twenties and some fifties, also, I believe, he just passed me the envelope and said "the same will come later", that was the only comment he made. (1510)

I received the second payment in September, I believe around the first week, but I have no way of fixing the date of that second payment, as I never kept track of it at all. It was at Mowry Hall and no one else was present besides Gallagher and myself, that is not close by. The second payment was in an envelope just like the first, and was in fives and twenties, fifties, and some hundreds, and G. did not utter one word, but just handed me the envelope. (1511)

#### CALHOUN EXAMINATION.

I have been an enthusiastic believer in public ownership at one time. (1512)

I voted for the trolley permit because the exigencies of the times demanded it, the terrible calamity changed conditions completely. (1513)

I looked upon the permit as merely the right to change motive power without any extension of time or anything else. (1514)

When Gallagher had that first talk with me he said nothing more than I have stated. I did testify at the first Ford trial, page 668, as follows: "What did he say to you about it?" He said that--he approached me with considerable trepidation because I had previously declined to vote for a public service franchise, and he said he would like that there would





"an unanimous vote on the overhead trolley, and I said that I had 'already' made up my mind to vote for it and that the press were 'clamoring for it and the public were clamoring for it, and even 'the railroad men or employees, several of them had approached 'me, knowing how I had voted in the past, and requested me to 'vote for the overhead trolley. I had 'already' made up my mind." That I mean by railroad men approaching me was that several men in uniform who were employees of the railroad, and who knew me and knew how I voted in the past on other public service matters, told me that they would like to get work, and wanted the trolley system and transportation re-established as soon as possible, and I met Cornelius perhaps accidentally, and he thought that it was the right thing, and that the men needed work and that he thought I should vote for it and I told him I had made up my mind. I think that was about the only public service franchise I voted for. (1541-3)

I swore to that affidavit but I had not read it very carefully at the time and when I asked what the nature of it was I was told there had been some of the members squealing, and knowing that I had never criticized the action of other members and never investigated their action, that I was justified in signing that affidavit inasmuch as I knew nothing about the affairs of the other members, and that was why I did it, and that was the impression that was made on my mind regarding the nature of that affidavit. I did say conscientiously that I never had taken a bribe as I understood the term. I signed that affidavit conscientiously. (1543-3)

According to my acceptation of the term, I did not accept a bribe in the trolley matter, because I never had a previous understanding on any matter, and never voted with a mercenary motive. I don't believe I was ever accused of it either. Did you have any previous understanding with respect to your vote in the trolley matter? Never sir. (1544)

Not only did I not receive any money in the gas matter, but I never heard there was any money in it until I read it in the newspapers. (1545)

G. came down to my place of business one evening, and when he was going away he handed me a package, and he said "this is something to meet your campaign expenses with", without any reference at that time to the miso fight at all, and it was some weeks afterwards when I discovered where it really came from. (1546)

I voted against the home telephone company and did not receive any money in that. (1596)

I did not receive any money in the trolley and I never heard there was any money in it until I read about it. I voted against it in the first instance. (1598)

I read over a copy of the trolley ordinance I voted for I believe, but I don't recall the contents of it though, but I remember that it provided for a change of motive power for the burning of the feed wires, and for ornamental lights at the expense of the company. (1599)

I would have voted under the circumstances as they then existed for the trolley permit in my event. (1600)



I did not think that the money was a long time coming in the trolley matter before I got that first payment. As to your question if I did not despair for a while, you are referring to the second payment; it was six weeks anyhow; I am not confusing it with the first payment, July and September, it is a pure guess with me. (1897)

I voted against outside not because I was trying to hold these people up, but because of my fixed principles on municipal ownership, and living up to the platform; and according to my understanding, every man on the board ought to have voted against it if he lived up to the platform, and along about January the 10th, there was considerable speech-making there in the board, and that "Examiner" interview of January 10, 1906, may be correct, where I said that under no conditions would I vote for a private franchise to an individual for a street railway. (1897, 8)

I used the prizefight money. (1898)

Did you conscientiously believe that you had not done anything that was ever wrong? That paragraph just read to you says you did not commit any felony, misdemeanor or any wrongful act? A. I might have done wrong in allowing Mr. S., whom I can recognize as the arch-scribbler in my case, to approach me. That is all that I did wrong in, in taking anything from his hands instead of putting it into the safe deposit box which he did with the rest. (189)

I never investigated whether the other members got \$4000 in the trolley matter. (1899)

I was not asked to go before the Grand Jury in October, nor December, 1906, and only was before them once. (1900, 1600)

No official of the U. S. spoke to me about voting for the trolley at any time before its passage to print. (1900)

I think my talk with Cornelius was before the passage of the ordinance to print. I naturally thought that the application was on file before the day of its passage to print. Cornelius and I did not talk about the term, and I don't remember anybody else that did prior to the passage to print. I did not know what was in the ordinance when I voted on it, but I did know that the franchise was to be for the entire term of the then existing franchises; the franchise itself may have explained that; that was the understanding. I do not know whether I discussed it or not, but that was the understanding, myself, and I possibly got it in the franchise itself. If the application did not come in until the same time as the franchise, I might have got my understanding from the press. I read the "Examiner" those days, but am not positive whether I read that article on my own. (1900-5)

I cannot say that I have any recollection of having heard any discussion on the permit before my talk. My idea was that if the U. S. was granted a short permit as the "Examiner" wanted, which was from five to ten years, I could not see but be conserva-



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ation or capitalist would be justified in constructing a permanent roadbed on a five year franchise; so it was a question of giving it to them or withholding it. (1888-4)

At that time the whole claim was for transportation, and these things could not have happened under normal conditions, because the town was simply in ruins and of course things went through perhaps then that might not have gone through so easily under normal conditions. (1888-4)

Between the time of the passage to print and the final proof I read unfavorable comments in the "Examiner". I can't recall what action the Labor Council took. (1888-5)

I do not believe I know of any newspaper that advocated the overhead trolley on Battery or Market street from January 1905 down to the fire. After the fire, and prior to May 14th, I do not recollect that the papers found fault with the action of the board at that particular time, in fact, I think the "Chronicle" and "Call" commended the action of the board for restoring transportation, all of the papers with the exception of the "Examiner". (1888-6)

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TESTIMONY OF SUPERVISOR MARSHALL E. STYER AT THE JAILING TRIAL (1436)





RESOLUTION OF SOUTHERN RAILROAD GIVEN BY THE BOARD OF DIRECTORS, 1900.  
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I voted upon the passage to print of the trolley ordinance before it came up to the board. I heard there would be 4000 or 5000 to be paid on it, but I do not remember from whom I heard that statement. I could not say who it was, but it was talked in the board and it must have been some member, I think it was. (1897,10)

I received \$4,000 from S. in two equal payments. The first was about the end of July in heavy bill, and in currency, and the bills were 1's, 2's, 5's, 10's and 20's. The package was about as high as thickens. He said nothing to me when he gave it to me. (1898)

I went to New York in the latter part of August, 1900, and the first payment was made to me before I started, and the second payment was made to me in October. I was seven weeks on that Eastern trip, and the second payment was made in heavy bill by S. in currency, 5's, 10's, 20's and 100's, and the bulk was small compared with the first package. (1901,12)

Before the matter of the trolley came up on the 14th of May, I did not have any conversation concerning it with any official or employee of the U. R. (1906)

(Affidavit put in evidence.) (1912)

I did not have a conversation with Gallagher after our election, and before we went into office with respect to our relations on the board before I went into office; I did very shortly after we went into office, about a week or so afterwards. In that conversation he said he would be the leader, I think, he would represent Mr. A. on the board, he would be the leader on the board. In answer to your question did he say he would be the leader of the board, I say he would represent Mr. A. I don't think he said that he would be the leader on the board. He did not say A. had told him to be the leader of the board, he did not go into any explanations with me. (1914,13)

You have shown me my testimony of August 7, 1900, at the A. preliminary examination at page 202, and I say I think I am saying the same thing now. I do not recollect saying a minute ago that S. never said anything about A. telling him to be the leader of the board, I say he did not tell me that A. told him to be the leader of the board. I did give the following at page 203: "Q. Now state the conversation as much as you can remember thereof and the substance thereof" A. "Well he told me (S.) he told me that A. told him to be the leader and I said 'All right, I will stand in'; I have said that just now that such was the case; at any rate I think it was the case." (1915,16)

In the first conversation that I had with him about the matter, he did say in effect that there would be many important matters before the board in which there would be something doing, and that he would treat all the boys equally and take care of their interests and see that they would be treated fairly, and I relied upon Mr. S. in that particular, and I looked to him



as the man who would get the money for me.

(1616)

I did have an understanding with the other members that we all would vote together on all important matters. (1618)

"I did testify on August 7th, at the A. preliminary examination, page 2 of the transcript, as follows: 'Q. And you looked to G. to represent the board in money matters? A. Yes sir. 'Q. All members of the board? A. I don't know about the others; I know what I did. Q. Yes; now wasn't there a general understanding amongst all the members of the board, that in all important matters they would virtually vote together as one unanimously-- you know what that means, unanimously? A. Yes. 'Q. And that G. should get any money for you if there was any money in the proposition? A. I so understood it that way.' (1619,19)

"I never heard it discussed that we should vote unanimously on the important matters, and I could not say if I answered as you have just read to me. As to your question whether I considered myself under obligations to follow G. on the board, I say I told him I would vote with the administration and as the administration told me to vote, and at that time I thought Mr. G. was the administration, and it was my understanding to vote as G. told me. I always voted with Mr. G. and always followed Mr. G. (1620)

"I testified at the A. preliminary examination on August 7, at page 1, as follows: 'Q. But it was the general understanding-- in other words we will make it plain to you-- the understanding was not to vote for them unless there was some money? A. Yes. 'Q. I understood it, we generally followed Mr. G. A. And however Mr. G. went so the board went? A. Yes sir. Q. Is that right? A. Yes sir. In other words, you understood generally that whenever you followed G. that if there was any money in the proposition G. would get it for you? A. Yes sir. Q. It was understood in other words, or was it understood that if there was any money in any proposition they would all be in it share and share alike? A. I could not say as---- Q. But as far as you are concerned, you understood you would be taken care of-- you likewise understood that the other members would be treated the same way as you were treated? A. I thought that was the understanding. So there was an understanding as far as I was concerned and as you have read to me. (1621)

"The first spoke to you about the trolley? A. No one that I know of ever spoke to me..... I did hear some rumors in the board about it. I heard there ought to be \$3000, and I think I did hear there ought to be \$10,000 in it; I heard it ought to be worth that to each one of us. In answer to your question from whom did I hear that, I say I cannot state, it might have been from G. but I could not say. I don't think it was G. As to your question whether I kind of thought the railroad company ought to pay me something for putting it through, I say I never gave it a thought, and I did not think of wonder if G. would not get it. In answer to your question if I ever considered whether there would be anything coming through in any manner, I say yes, I did, and as to trolley I say well I thought-- it was rumored that there was or would be some money coming through. I do not remember who spoke to me





about the matter; just a general kind of a rumor; I did not know the amount or anything else positively, and about all I ever heard was there ought to be either 5 or 10,000. I could not say what I ever mentioned the fact that I thought there ought to be 5,000 in it. (1621-3)

I did testify as follows at the A. preliminary examination at page 10: "Wasn't it generally understood on the board that if the railroad, amongst the members of the board, if you will permit the alteration of my question, that if the U. S. wanted the trolley they should pay a liberal sum to each member? A. So I understood. Q. And that was before the application was filed? A. Yes sir. Q. Wasn't it understood there ought to be at least \$10,000 in it for each of the boys? A. I heard that there ought to be that much, that is all. That was the general talk amongst the members. I could not say though who I asked, they thought there ought to be about \$10,000 in it. Q. Whom did you talk with? A. I could not say, Mr. Kelly, I think." And that is true. (1623,4)

Q. When I first went into the board I did not understand with respect to the fight trust that there was going to be something in it. I did understand that there was going to be something in it from G. or somebody else before I got the money, but I could not say who told me. (1624)

Gallagher came around and gave me \$475 and kept 5. I suppose for his labor. (1624)

I did understand there was going to be something in it in the gas matter before I voted, but I could not say from whom I got that understanding; I got some money in that. (1624)

Before the vote was taken on the telephone franchise, I had a talk with Halsey. (1624)

I don't think I ever had a talk with Halsey. (1624)

I do notice how I testified at the grand jury at page 40 of that record on the telephone matter, and I now say I was mistaken a moment ago because I did have a talk with Halsey about it, but I could not now say just when that was. I believe Halsey asked me how I stood on the Pacific States Telephone question, and I told him I was with the administration and that I was going to do as I was instructed; I would follow G. I think my memory was fresher before the grand jury. (1625)

I did testify yesterday that one of my payments was in small bills, 1's, 2's, 5's, 10's and 20's and that is my understanding of it now. I did testify before the grand jury when my recollection was fresher at page 41 as follows: "Do you remember the size of the bills in the first payment? A. They were mostly all \$100, \$50, \$20, \$10, \$5." (1626)

I did not go to the Casino luncheon. I was not a member of any committee that had the Parkside matter. I voted on the Parkside franchise, but I did not have any instructions on it, and Gallagher did not tell me to vote the way I did; I followed G. A. He did not even have to tell you anything--



you just followed him, did you? A. Yes sir.

(1626,7)

I went East the latter part of August and remained altogether about 7 weeks, going and coming.

(1627)

It was my personal view from the fire till May 14th when the matter of the trolley first came before the board that everybody in town wanted the permit, and that transportation must be restored and that the trolley permit was a good thing for the city. And my personal views were that it was a meritorious permit and should be granted, but as I have said, I would follow G.; and I understood that G. represented R. (1627)

I am testifying under immunity, and have my immunity contract.

(1628)

I remember signing the affidavit but I could not state the month, but it was late in the fall. I heard it read and understood it was false when I signed it and swore to it. (Affidavit put in evidence.)

(1627,8)

#### REDIRECT EXAMINATION.

I did testify before the grand jury at page 41 about the denominations of the first payment as follows: "Q. Do you remember the size of the bills of the first payment? A. They were mostly all \$100, \$50, 20's, 10's, \$5. Q. They run that way in all those payments? A. All the time; I did not pay much attention to it." At the time of giving that testimony in the grand jury I did not recollect that I had received that first trolley payment a short time before going East but I have since read that fact, and the recollection of that fact has helped me to recall the denominations of the bills in the first payment, because I had some one and two dollar bills with me when I went East, and I got them from the package of the first payment that G. gave me.

(1628-30)

I heard those rumors about there being money in the overhead trolley permit immediately when it was brought before the board; no, I can't say that I had heard any rumors before the fire to the effect that the U. R. desired a trolley permit, nor that Calhoun had offered to pay the city \$200,000 for the park handle if allowed the privilege of installing the overhead trolley.

(1630)

I read the "Examiner" right up to the time of the fire and after the fire up to May 14th; before the fire I did not read in the paper anything about the desire of Calhoun or the U. R. to get an overhead trolley permit, I cannot recall it.

(1630)

I think it was the day the trolley permit was introduced in the board that I first heard these rumors concerning the amount in the matter. The rumor was that there would be some money when that would pass; I cannot say how many members I heard talking that way, but there was considerable talk about it around the board, and I heard the members saying there was 4000 or \$5000 in it, and I believe some of the members said that there ought to be 10,000 in it. Q. Well, was the statement which you read to the effect that there would be 4 or 5000, but there ought to be 10,000; wasn't that what you heard? A. Yes sir. (This question and answer was struck out.)

(1631,2)







All that I recollect about these rumors concerning the trolley permit and the money in connection with it is that I heard there would be \$4000 or \$5000 in it, and I heard others say that there ought to be \$10,000 in it. Well, at the time you voted, did you have any amount in your mind as the amount which you expected to receive? A. No sir..... Then I voted I did expect to receive something, and the amount or range of amounts I had in mind was 4 or \$5000. When I voted I did have a definite sum in my mind that I was to receive, 4000 or \$5000, and the reason I had that in mind when I voted was because I understood they said, whoever told me, or in the group I had been talking to, they all seemed to think it was 4 or \$5000 we were going to receive. (1632,3)

What I meant when I said I always followed G. in voting is that he was leading us to vote for anything that came up before the board, and that we were to follow him; I understood that G. was representing R. during the period. (1634)

We held caucuses and I understood the caucus vote determined the action of the members, and I understood the purpose of the caucus was that we should meet and determine things and that the next day they would run smoothly. (1634)

I understood that the money that A. would get in such cases, as I looked to him to get the money, he would get from R. (1634,5)

Newburgh questioned me in the police court, and he was attorney there for R.; and I think I understood clearly every question Newburgh put to me in that examination. (1635)

I never received any money from Halsey in the telephone matter, nor from anyone representing the Pacific States. I received \$6000 on the Home matter from G. and I voted in favor of granting the franchise, and before I voted I had been told I would receive money in the matter; excuse me, I was not told but I understood there was, and I got that understanding from rumor around the board, and the amount that I understood I would receive in the Home was \$3500, but I could not say who told me. When G. paid me the \$6000 in relation to that matter, he did not say anything to me, but just handed it to me, but made no explanation why it was not merely the \$3500. (1635,6)

I never asked G. to get any money for me in any matter, and never heard any other member do so. I never agreed with any other member that he or I or they should try to get money in any proposition. (1636)

I cannot state that I ever heard any discussion in the board as to the term of the permit, and before the matter came up on passage to print I did not have any understanding as to the term. I did understand that the term allowed the R. R. the entire length of the franchises, but I could not say where I got that understanding, and I don't know as I understood that before I heard the ordinance read in the board, and I did not have any discussion with any person as to the advisability of granting that term before the matter came up in the board. (1636-7)



I did testify at the preliminary examination as follows:  
 "Q. Wasn't it generally understood in the board that if the  
 "railroad--amongst the members of the board, that if the U. R.  
 "wanted the trolley, that they should pay a liberal sum  
 "to each member? A. So I understood. Q. That was before the  
 "application was filed? A. Yes sir. Q. Wasn't it understood  
 "there ought to be at least \$10,000 in it for each of the boys?  
 "A. I heard that there ought to be that much; that is all." In  
 answer to your question why, if I understood \$4000 or \$5000  
 I did not say so, I say I heard rumors from different people,  
 some said \$10,000, some said \$4,000, some said \$5,000; I did not  
 know what it was. In answer to your question why I said a  
 moment ago that I understood there would be 4000 or \$5000 in  
 it, I say that was my understanding. Q. You did not know what  
 it was? A. Not exactly, no sir. I expected \$4000 or \$5000,  
 and in answer to your question how I got that expectation I  
 say that was in my mind but I could not say how I got it, but  
 when I got it was then and there; I don't know why I spoke of  
 4 or \$5000 as the one I agreed to, and not the 10 when I said  
 I did not know what it was; and I don't know why I did not un-  
 derstand it was \$10,000 instead of 4000 or 5. I did testify  
 as follows: "Q. Wasn't it understood that there ought to be  
 "at least \$10,000 in it for each of the boys? A. I heard that  
 "there ought to be that much, that is all. That is the  
 "general talk amongst the members. I could not say though  
 "who I talked-- they thought there ought to be \$10,000 in it.  
 "Q. Whom did you talk with? A. I could not say; Mr. Kelly I  
 "think. .... I did not talk with Walsh about it. I think  
 "Mr. Kelly was the only one I ever talked to, I did not talk to  
 "Purdy, I might have talked to Walsh. I did not talk to  
 "Harlock or McGushin or Nicholas; I think it was Kelly and Walsh  
 "I talked to. There may be some more, but I cannot remember  
 "them now. I might have heard some others talking in a group,  
 "but I don't know who they were. Q. In other words, you grouped  
 "yourselves together and then you discussed the amount that  
 "ought to be paid? A. Yes sir..... that is right. Q. Isn't  
 "that right, in groups, two or three at a time? A. Yes sir.....  
 "I think two or three of us would get together and we would  
 "wonder if there was anything coming through on it; that is  
 "about all." (1637-40)

Q. never told me that he got his money from R. and never  
 said anything to me about it, and never spoke to me con-  
 cerning R. and money matters, and I did testify at the preliminary  
 examination of A. at page 14 that I did not know the persons  
 from whom G. obtained the money which he paid me. I did not  
 know positively anything about where G. got the money, and  
 nobody ever told me he got it from R. (1640,1)

#### FURTHER DIRECT EXAMINATION.

I did not talk with other members of the board about  
 where those different moneys were coming from that I was getting;  
 it seemed to be understood that R. gave the money to G. to  
 give to us. (1642)







TESTIMONY OF SUPERVISOR BOSTON GIVEN AT THE CALHOUN TRIAL #1486.



TESTIMONY OF SUPERVISOR BOSTON GIVEN AT THE CALHOUN TRIAL #1436.

I first became a supervisor in July 1900. I am at the College of Physicians and Surgeons. I have been elected supervisor four times and was field officer in the 1st Cal. Volunteers, and served as such in the Philippines for about fifteen months with the First Regiment, and came home with that Regiment. I left with that Regiment as Major and was retired as Lieut. Colonel. (1711-12)

I voted on the trolley ordinance May 14th for passage to print and on May 31st, 1906 on final passage and I recollect that in the early part of June it was passed. (1713)

After the passage of the ordinance I received \$4000 on the overhead trolley from G. in two payments. I don't know when the first payment was, but I think it was sometime in August, 1906, and it was in a buggy that I was riding in with G. We had ridden to the Mayor's house, and were on our return to the hall. That first payment of \$2000 was quite a large package and U. S. currency and was in a large envelope I think; they were small bills; to the best of my recollection they would range from dollar to twenty, and they were quite old and I should judge the package was probably half an inch thick. He said nothing to me when he gave it to me. (1715-16)

The second payment I think in the latter part of August on the street in an envelope and he simply handed it to me and it was \$2000 and the denominations were 50 and 100 bills. (1716)

Q. How before you voted in that matter on passage to print on May 14, 1906 had you heard anything about any money coming through upon it? A. Not directly, no sir..... I heard nothing more than rumors while the matter was being discussed by all the members of the board in the hall at Laguna street, and in these discussions among the members the amounts that were mentioned varied, 10, 8, 5 and 4. They were all sorts of figures placed on it and I don't know when one figure was mentioned more than another in those discussions which I overheard. I don't know as there was a particular figure mentioned more than another. I don't remember of there being. I did hear that discussion on the part of other persons than the supervisors at the time, people around the hall there all knew it. (1716-18)

CROSS EXAMINATION.

I have been mayor of San Francisco sometime in May, June or July, 1907. I was asked by G. to take that position and I did so and that was after Schmitz ceased to be mayor. I drew the salary for it anyhow. I was the immediate predecessor of Taylor. I was also a major; I was a supervisor from 1900 to 1907. (1718-6)

I was on a number of committees during my last term but was chairman of the public utilities committee. (1719)

The Parkside franchise was referred to the Public Utilities Committee and it was before that committee some time. (1720,7)





I did not receive any direct offer or promise of money from any person in the trolley matter before I voted. I gathered a general rumor around the board that there was going to be something in it and that rumor varied as to amounts from 10,000 to 4,000, and I do not remember that one sum was mentioned any more often or any louder than another. (1727)

I was expecting money in the Parkside and I said once I was still expecting it. I can't see any reason why I should not receive it still. I am not now of the view that it is coming to me. At the W. preliminary examination on August 3, 1900, I did testify as follows: "Q. And you expected to get a slice of it?" A. Well, I expect that was the general expectation, yes. Q. And that was not only your expectation, but in all the rumors you overheard that was the expectation of the other members? A. Yes sir, and still expect it." (1727,9)

I had expectations in the trolley matter. (1728)

My expectation in the Parkside matter was founded upon these discussions, rumors, and matters of that sort. (1729)

My expectations in the trolley matter were founded upon rumors and discussions. (1729)

My expectations in the Parkside matter were owing to the fact that we all believed that A. had received money for these different propositions, and all of the members felt that they were entitled to it; that A. had received a fee, that is a nice way to put it; and that is the way I testified on August 5th, at pages 33 and 34. The discussions in the Parkside matter pertained to the fact that A. had received a fee and we members of the board expected to get a slice of it. (1727,50)

I have not any recollection as to who it was that talked to me about money in the trolley matter before I voted; I don't know that anyone talked directly to me in regard to money, I gathered it from the atmospheric conditions. (1730)

Parkside franchise remained in my committee unreported a considerable length of time. G. requested me to hold it there because it was not quite satisfactory, the arrangements for the franchise; some changes had to be made. G. never subsequently told me to report that franchise, and I never reported it, nor did the committee of which I was chairman; but I believe another committee did. When the board was re-organized it was taken out of our committee and put into another committee; that was when there was a new board; they took the matter up as I understand it and eventually passed it, I believe. In the best of my recollection it was still in committee when we resigned. I did not understand that it was to be held up until the financial arrangements, I was not referring to the financial arrangements. That I was referring to was the arrangement of the franchise as to its power and method of placing it on the road. (1731-4)

G. was chairman of the finance committee. I don't know what his position was with respect to the members. He was not regarded by me as the leader of the board. I did testify on August 11, 1900, at page 37, as follows: "Q. In other words,



"you considered that Mr. G. was your agent in the obtaining of that money?" A. Mr. G. was the leader of the board of supervisors. Q. And represented you and the other members of the board in these matters? A. I cannot answer yes or no. Q. Answer in your own way? A. I think he dictated the policy of the board, Mr. G. .... Q. He dictated the policy of the board? A. Yes. Q. And when any money was coming you looked to G. to get it? A. I certainly did, yes sir." Then I said "he dictated the policy of the board, Mr. G.", I refer to the Parkside matter, it remained in committee. Mr. G. was generally consulted in regard to any matter coming before the board of importance, the form and makeup, and as to the introduction of the bill, and all bills were referred to him, he being an attorney, to pass on before they were introduced in the board, and that is my understanding of the statement "he dictated the policy of the board". Nothing was presented unless it was satisfactory to him in its construction. By "policy of the board", I meant what laws should be passed and those that should not be. G. had dictated the policy of the board, in other words he said what should not be passed as well as what should be passed; and when G. said not to pass a thing it was impossible to pass it. As to who I understood G. to represent besides the board, I say the administration, and if G. representing the administration said not to pass anything, it was impossible to pass it. (1734,6)

(I was in favor of anything that would give the people transportation. I was strongly in favor of the passage of the trolley permit, because the cars were running at the time under a special permit, and the people seemed to take very kindly to them, and that is the way I put it before. (1735)

Prior to May 14th and after the fire, I don't know that I had any idea what it was worth to me to pass the trolley permit under the circumstances. I did testify on August 4th, at page 16, as follows: "Q. You overheard several rumors amongst the supervisors that there would be money in the trolley application about to be filed? A. Yes sir. Q. Was any specific amount stated in these rumors? A. No, they all had a different idea of what it was worth. Q. What was your idea as to that, Doctor? A. If I had been running it myself, it would have been a whole lot". (1735,6)

The first money I took while I was a supervisor was, I believe in January, 1906, and I believe it was the first of the month. It was within twenty-one days after we went in, and it was \$500 I think, and the next was in February, and was \$750, I think. The first was prizefight money and the next was on the gas rate. (1736,7)

Q. Did you get any idea of the specific amount to be paid in the gas matter before you got it? A. No sir. (1737)

The next matter I got money in was the telephone matter, and after the ordinance was passed and became a law, I received \$5000 from Halsey; I did not tell G. or anybody else about it, but I suppose he came to know it. I did not receive any money from the home, that was from the Pacific States, and they were the opposition to the franchise. (1737,8)







remember the skating rink ordinance and the oil ordinance.  
(1938)

I got money on the skating rink ordinance, which was to prevent children of immature years from attending skating rinks. Roy asked me to vote against it, and he intimated that there would be something in it, and he gave me something in it and then I found out it was a trap. I went to Roy's house on a telephone call and met him there and he there told me that the skating rink proprietors had raised a fund and there was \$500, and I kept that money and spent it down the line. I did not know that was Spreckels' money, but I was told so. It was some time after Roy gave me that \$500 that I saw Spreckels, probably a month. I left Roy's house with the money, and Mr. G. told me within an hour afterwards that I had been trapped, and that the skating rink ordinance was a fake. To the best of my recollection, it was some time in the early part of March after that that I saw Burns; I am not confusing the skating rink ordinance with the oil ordinance. That oil ordinance matter never came up and I did not receive any money on it, and I was not offered any that I can remember. G. told me I had been trapped on the skating rink ordinance. Now I came to see Burns was that sometime afterwards Roy telephoned and asked me to call at his house, and at that time he told me that Burns knew all about it, and knew all the evidence, and he mentioned different names and said they knew all about it, and they would like to see me, and I said all right. The parties he named were Langdon, Burns, Levey and Spreckels; and he told me then that they had all the facts and the numbers of the money and the dates, and that the money had originally come from Spreckels, and that was about a month afterwards, as near as I can remember, three weeks or a month, a substantial period.  
(1938-41)

I did not go to see those parties afterwards, I said to Roy if those parties were there to send them in, and that was while I was at Roy's house, and they were waiting there for me and I saw them. I left that evening and went to my house accompanied by a stranger. I left the house in an automobile and all the streets were crowded and somebody stepped out on the sidewalk all night; and the next day I went about my business and I suppose they were behind me all the time, but I did not pay any attention to them. After I left there I promised them I would not mention it to G. and neither did I. I sent for my attorney, Mr. Owens, and explained the situation, and turned the whole matter into his hands; whatever arrangements were made in my behalf after that were made by him.  
(1941)

I eventually went to the house of Mr. Radke and there made a statement under a contract of immunity; Langdon gave me that contract, and Spreckels was present when I made that statement, and Spreckels held the contract. The persons present were Langdon and Spreckels and the lady stenographer; that was somewhere around the 15th of March, I think, about the first of March, all these things came very close together. I do not know how many days it was before the other statements were made, but it seems to me it was over a week.  
(1944)

I think I saw G. once before I went to Radke's house after I was trapped; I did not discuss anything with him then. I simply met him by appointment, and he told me everything was all right; that was between the trapping when I got the money



from A., and the time I went to Kadke's house; it was about just a half an hour before I went to Kadke's house. It must have been fully a week or more after I was trapped before I went to Kadke's house. I saw G. more than once. As to your question when I first talked with G. and how I came to see him, I say you will have to understand that when that money was paid to me that was one occasion; a week or more after that Roy telephoned to me and told me to call at his house I went, and at that second visit to his house I met the gentleman that I mentioned, and from that time on I never spoke to G. until within half an hour of going to Kadke's and when I met G. on this latter occasion, I did not tell him anything, but he told me a whole lot of things, he was looking for me and I did not just happen to meet him, and that was within an hour after I had taken this money from Roy; he told me I had been trapped; I told him I had taken money from Roy. I don't know how he came to bring the subject up, but he had a lunch, I guess, one of those atmospheric conditions. What G. said when he came up to me on that occasion that I think he was looking for me on was what he told me he had been looking for me and he then asked me about this man Roy, and told me he didn't think he was any good, and that I should not have anything to do with him, and talked along those lines, I told him I thought he was mistaken and then I told him I had taken some money from him on the skating rink, and G. said "Well, make the best of it". I felt that I had been trapped, but he wasn't certain and I doubted it, as I had known Roy a long time and did not believe it. Then time went on for a week or more and Roy telephoned me and asked me to go to the house and I went and met Speckels and the rest of them. It was probably a week between the time that I went to Roy's house in answer to his telephone and the time I went to Kadke's house and made a statement and during that week I was under surveillance. (1704-7)

I have seen the statement that I made at Kadke's; the last time I saw it is a long while ago, and it was then in Speckels' possession, I think; I don't think it has been produced at any of the trials. I did not keep a copy of it. It was written out and I signed it before a notary, Miss Sowden. I believe it was typewritten out there. I signed it. She was the stenographer, too. Now long after that did you tell G. that you had been up there and made a statement? He knew it, he told me to go ahead and do it. It was probably a week or two weeks after that that I went before the Grand Jury. I was told about that time that they had seven different parties who had given them a statement, but I did not understand how many supervisors there were, nor did I understand directly that any supervisor had, nor did I understand that Loneragan and Walsh had, but I don't know where I got the information, but that recollection is in my mind. (1704-8)

I never did go into the neighborhood of the Presidio about that time, nor did I meet G. out there. While I was at Kadke's house I did not see him in the neighborhood of the Presidio, a block or two away. I don't know if I saw him when he was coming from the Presidio in an automobile. I know I saw him, but I don't know where he came from, it was within a block of Kadke's house, which was out somewhere near the end of California street. In answer to your question if G. said he had been seeing Speckels, I say no, he did not tell me







anything except that the thing was all right and to go ahead and make the statement and I thereupon did. Spreckels was not accompanying U. then. As to your question how soon after seeing U. out there near Radke's house in his automobile it was that I saw Longin and Spreckels and made my statement, I saw I met them at Radke's house when I went there. They were there when I arrived. I don't know where Gallagher came from. Was it more than fifteen minutes before you made your statement that you saw U. About that, it would take about 15 or 20 minutes or half an hour. There may have been some little talk before I made the statement in Radke's house. That is the time out there at Radke's house that U. told me to go ahead, that it was all right; and I met him about a block from Radke's house. I did not know that he just came from the presidio and Spreckels, and he did not tell me; he simply gave me the ultimate fact that it was all right. (1744,50)

I think everything was signed up right there, I know I signed some papers, but I don't know just who else did so; Longin signed the paper and I think Spreckels did, but I am not sure; that paper was left in Spreckels' hands, and I don't think I have seen it since. I think it was called for at one of the trials, but I think Spreckels did not have it with him. (1750,-

I have never seen the general contract, and I don't know if my name is in it, I have a special contract. (1751)

As to your question whether I ever had any conversation with U. about the trolley, I say he may have spoken to me about it, I think he spoke to me one time that the matter would probably come up before the board, and wanted to know how I felt about it; that was after the fire, and to the best of my recollection I told him there was no objection on my part. U. about your statement a little stronger than that when you spoke to him. A. Oh, well, you cannot state off-hand what you would do in a matter of that kind, the first time a man speaks to you; you would want to think it over and consider it. I do not know that I can make it any stronger than that. I did testify on August 4th as follows: "Q. When was the first conversation after the fire? A. I cannot recall the exact time, but he spoke to me about it quite often. Q. Perhaps not. A. No. He spoke to me concerning it quite often. Q. What did he say, what was the first conversation? A. Well, I cannot recall the exact words, but I believe it was that he said to me that he thought there would be an application made to convert the U. S. system into an overhead trolley system. Q. That did you say in substance, Doctor? A. Oh, I thought it would be a good idea, something should be done to get the cars in running order, and the talk was along those lines. I don't dispute it that he spoke to me concerning it quite often, but in none of these conversations mentioned any money to me at all. I don't remember U. ever mentioning any money to me in regard to the trolley, and I have always so stated to the best of my recollection. (1751-3)

Now, previous to the Radke matter coming up, did you have any talk with Mr. U. about there being any money in that? A. It was not necessary to talk to Mr. U. Q. Did you have any? A. No sir, I do not know as I did about money in regard to the



Parkside matter either..... I don't think I understood from him that there would be money in the Parkside matter before I voted on it, and I never voted on it. (1754)

I do not remember my talk with G. about holding the Parkside franchise back, and as near as I can remember it now, it was that the franchise was not in proper form to be presented to the board, they would probably have to make some changes in its form. He might have said also, "Wait till I get ready." (1755)

I did testify in the Parkside case at page 55, as follows: "I remember very distinctly the substance of the conversation, because I asked him if I should submit the application on recommendation of the committee. I did not submit it. Q. What did he tell you? A. He said 'wait until I get it ready', something to that effect. Q. What were the words? A. I don't know. Q. Why did you say the substance was 'wait until I get ready'? A. It amounts to the same thing", and so it did. (1756)

< Elected mayor by board and assumed office from July 9th to 15th. (1758) >

Signed and swore to affidavit and knew I was doing it and knew the force of the oath; the truth of it is a matter of opinion, and I have no opinion about it. I don't wish to answer whether it is true or not. (Affidavit put in evidence). (1760)

I received a contract of immunity at Hedke's and thereby immune for all offences while a member of the board, my attorney so informed me, and I left it entirely with him, and in return for that I was to tell the whole truth concerning questions put to me and testify whenever called upon. (1761, 7)

With regard to Burns' request that I make a false affidavit, to the best of my recollection it was not after my statement, but after the affair at Roy's; Burns did tell me to make a false affidavit, and I suppose it is so that that was an affidavit when both he and I knew it to be false. Burns and Speechals were there when I received immunity; I don't think Speechals heard Burns tell me to make false affidavit, but all the gentlemen were present in Roy's house at the time, but Burns and I were alone, and we were alone a good deal that evening, but I never made that affidavit as it was never necessary. (1767, 7)

#### REDIRECT EXAMINATION.

I talked with Honey last Saturday afternoon in his office and I there saw my Hedke statement, and I had not seen it before that since I made it, nor a copy of it; Mr. Honey has turned it over to me, but I have not got it with me; I was asked to look it over and refresh my memory on certain points; it bore my original signature and my initial. It is at my home. Talked with nobody else about my testimony since I was on the stand; but saw Owens yesterday at Redwood City, but I did not tell him I had been to Honey's office, or had seen my Hedke statement, nor anything else except that I had been called. (1769, 70)



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acquainted with Owens fifteen years before Radke statement; National Guards together. I went to him because he was a brother man, and nobody recommended him to me. He represented me through those proceedings. Personally, very friendly to me, but not to the prosecution. (1870,1)

Radke statement reflected my memory as to whether or not I knew or understood we had been told money to be paid in trolley prior to passage in print. (1771)

The paper now headed me is the one which was handed me on Saturday afternoon of last week by Mr. Honey at his office, and is the paper about which I have testified, and that is the statement made by me at Radke's house on March 14, 1877, and I swore to it upon that date and that is my signature to it, and that is my initial on each page of the document written by myself and put there at the time I signed the document. (1814)

I understood quite positively prior to the passage of the ordinance to print that there would be \$4000 in it. Q. From where did you get that information? A. Rumor; no one directly; that was the general understanding. Q. Among whom? A. The members of the board. Q. Can you say positively whether or not Mr. Gallagher spoke to you on that subject? A. I cannot, no sir. Q. Can you swear positively as to whether or not Mr. Wilson spoke to you upon that subject at the time? A. No, I cannot; I cannot say who it was, if any one. Q. It may have been either Wilson or Gallagher? A. I might have spoken to them during that day, yes. Q. About that matter? A. Yes sir. (1824)

No one suggested or indicated the answers I should give at Radke's house; neither Owens or any one else talked with me what my testimony should be in regard to any questions that would be asked me there; I have always tried to answer to the best of my recollection as to what I believe to be the truth. During the time that I was being questioned by Mr. Egan there nobody suggested any change in any of my answers, or suggested what any of my answers should be; Miss Conlan took the notes down, the questions and answers. Q. Was it taken directly on the typewriter, do you remember? A. I think it was in an adjoining room, I am not sure. Q. Do you remember whether she took it down first in shorthand and then typewrote it, or whether it was taken straight on the typewriter? A. It was taken first in shorthand as I gave it.... and I waited until it was typewritten, and I read it over before signing it. (1830,2)

I owed my original nomination to E. I was not indebted for my original nomination to E. I was elected in 1870 on the Republican ticket, and in 1881 on the same ticket and in 1890 on the same ticket, and at none of those three elections was I indebted to E. for my nomination. (1834)

I attended the caucus in regard to the committee, and I was willing that E. and Schmitt should select the committee, but I did not like the way they arranged them and I was present at the caucus when Schmitt announced them; I had not been placed upon the public utilities committee as chairman, but Lewis had; after the committee had been read off, I objected and told them they could put me on as chairman of the outside loans committee, and they made other arrangements, that is they put me on the



committee, but I did not have anything to say about the other members who were put on with me, and I was not able to control a majority. W. and H. and Schmitt arranged it. Subsequently I had a tilt with W., he attempted to do all the business of the committee and it was straitjacketed out and we shook hands and started over again and I remained friendly with W. (1839-42)

As to your question in the telephone matter did I follow the orders of W. or Gallagher on my vote, I say I did not get any orders, they didn't talk to me about it. In answer to your question I did follow the leadership of Gallagher in the telephone matter. I was the first to vote on the roll. (1841)

I was present at the caucus preceding the Monday night at which the Home Telephone franchise matter was passed to print and I voted against it, and I think there were five voted against it, Sanderson, W., Walsh, McGuinnis and myself; Sanderson and W. had been on the board with me in 1901, and the Home Telephone Company had been seeking in 1901 to have a franchise put up for sale by that board, and I had then the same position in the old board on the matter, and I think W. and Sanderson had done likewise, but I am not sure. I voted against it when it came up for passage to print after final passage. (1842,5)

I think the bids were to be opened on April 23rd. At any rate I know the bids were opened, but I don't know the date. (Stipulated April 23rd). I think I was present when the bids were opened. I was present when there was some discussion on different points, and I know I objected again to it on account of it being a legal holiday and some other reasons; that was all the time right up to when it was finally accepted; I think I objected at the meeting when the bids were opened and I think W. did too, and the bid was \$20,000. I don't remember whether W. was present or not. I think Sanderson voted against the granting of the franchise all the time. I think Walsh also. The number of members that I understood the day before the matter went to print had agreed to vote with Walsh against the franchise was fourteen and the number that did vote against it was five. (1843-5)

At the time I stated at the preliminary examination of W. that I still had some expectations, Mr. W. was there and sitting almost directly in front of me and Newburgh asked the question in broken English; at the time of course I was laboring under the impression that W. had received a fee of \$11,000 in the Parkside matter, and Newburgh, a very comical man, was asking the questions, and he handed one to me like to this: "Doctor 'ave you any expectations?" And I said "Yes, I certainly 'have expectations", and he said "You still expect to get a 'slice of it?" and I said "Yes", looking directly at W.; probably because I never would have said that, but I did not have any real expectation. (1844,8)

You say you had heard that W. had got a fee, for what? A. Well, I don't know; he was an attorney. W. Well, what was your understanding of it? A. Well, that is what he call it, a fee. W. For what? A. That Parkside franchise.....In answer to your question what I meant by that statement that I heard he got a fee, I say I heard he had a fee of \$11,000 on account







of the Parlside franchise; what work there was to do there I don't know; something it was considerable work to make up the franchise and make it up in legal form. In answer to your question whether I understood he got a fee in the prizefight ordinance matter, I say that was not so hard; I understood he got a fee in the prizefight matter. (146,7)

The city got \$1500, I understood, for a license from each of the four or five persons who were applying for permits each month during the year 1906, but I did not know about the one license in 1906, I don't know whether they paid or not, but I understood that the license in 1906 was granted to a single organization to hold fights for the entire year. (147,3)

I don't remember hearing anything about paying back any of the prizefight money on account of the fire interfering. (148)

In answer to your question if I remember whether I heard any talk among the members prior to the fire in regard to the overhead trolley for Market street, I say I think that matter--there were rumors about it for some time, even in the previous year while I was in the board in 1904, I understood that the P. O. had an application for the overhead trolley on Market street, and in 1906 I understood not that they had an application, but that they were talking of making an effort to get the overhead trolley for Market street. I cannot say that I remember that in March or early in April, 1906, that I read anything about Calhoun being willing to pay \$200,000 towards the Park Roadside, but I have looked at the papers since, I looked at them Saturday afternoon, but that has not refreshed my recollection as to seeing the papers in 1906, because it is not likely that I read any of the papers in that month, as my uncle had a stroke of apoplexy on March the 10th. (148,50)

I cannot say positively whether there was any talk among the members shortly before the fire in regard to it, but there was some talk over that overhead trolley business in 1906; there might not have been any direct proposition made to us, but the members thought it was likely it would come at some time. (149)

The money in connection with the fighting rink ordinance was paid to me by Mr. Roy at his private house, and I think it was Laguna and Bitter, or somewhere in the northern part of the city, and I was seated in his front parlor when he paid it to me. And there were folding doors between the back parlor and the dining room and the back and the front parlor were practically all one room; he took from his coat pocket an envelope with quite a lot of bills, currency, and separated off a certain number and handed them to me; he did not count them out loud as he handed them to me, not that I remember, but he might have; we were both seated in the front part of the parlor at the time, and I guess I was almost on a direct line with the opening of the folding door, and it was in that same room in which I was called on a day later in March and informed by Roy that the prosecution knew about his paying me the money, and he told me then that others had been in the other room at the time the money was handed to me, Mr. Burns and others; and these others might have been at Roy's house on that evening that he told me about it, there was quite a number there that evening; I can't say if Mr. Seales was one of them, because I don't know him by name.



I saw no one but Roy there the occasion I got the money, and I thought Roy was all right. (1961-3)

I went over on the Millmore street cars and got off at Knight street and got off at his stable and went in, and Mr. L. came in directly after I did. He and I talk together and we walked out of the place and went down the street, and he suggested that we go into an ice cream parlor and he said "There were a lot of people standing around the sidewalk", and we went inside and sat down and he told me what he thought about it. I went to the stable for a beer, but I did not have appointment with Mr. L., but he came in afterwards while I was there, and he told me he had been looking for me. And he said to me in the parlor was that he asked me about that skating rink proposition, and I told him what had happened, and he said that he thought it was a trap and that it was all wrong, and that I shouldn't have done, and all that sort of thing, and I told him I thought he was mistaken, that I did not think it was possible for any man, and he said "All right, if you think you understand this better than I do go ahead", and I said "Well I will think of Roy that". I had not heard any rumors before that directly that any effect was being made to trap supervisors. Now, there were some rumors to that effect around, but none of them had connected Roy with it. This stable was my regular place for having my beer, and that was known to Mr. L., he lived right in my neighborhood at that time on Pierce street, and that was Mr. Roy's stable on Knight near Pierce. (1966,4)

The afternoon that I went to Roy's house he told me that certain parties were there who wanted to see me and I said "All right". Burns explained to me that he knew all about it, told me where I was going, what I did; I supposed that someone had been talking behind me; Burns was trying to get me to make a statement in connection with matters in the house. (1964)

Roy told me at his home that the prosecution or the district attorney's office had all the information in regard to the skating rink, and that it was really a trap, but that he had nothing whatever to do with it, and that it was framed by Westreich and Jacob, and that he had been pulled in the matter, and that there were certain parties in the house on that day who saw him send that money to Joe and that it was "my money", and that if I did not do it I knew what to expect as to the skating rink proposition, but I declined to do so, and he said it, and Mr. Roy denied it and in my presence he said he never had any business dealings with me, and I stayed there until quite late that night, but I left as you know still denying it. (1966)

After Roy had that talk with me, I had a talk with Burns, Bohrer, Svedenels, and Langley, all on that evening, and sometimes I talked with all of them together, and sometimes with part of them. (1967)

On the occasion when Burns told me about knowing where I went after I left Roy's house, the day I got the money, he told it just exactly as it happened, and I went away in a certain car and just where I got off, that I had gone to the stable





that G. met me there, and that we came out and went down the street and went into an ice cream saloon and stayed there a certain length of time, I think he had the exact time, but he did not tell me how he knew it and I did not know. He might have told me that he had me followed, but I don't remember, and he said they was boy paid the money to me and heard him count it and all that, and he read it off to me from a little note book, the numbers of the bills, and I believe he said there was a stenographer there who he saw the money passed to me by Ray, although he might have said there were others; I think he read off to me the conversation between me and Ray at the time; I think he called in a stenographer and had her read it to me; I remained there until about midnight, and I continued to deny taking the starting rink money and everything else. (1967,8)

I was told on that occasion that there were seven who had allegedly made statements, and that amongst them were some supervisors, probably all supervisors, and I was told that night by Lennon or Lacey or Burns how much the amount was that was paid in the different matters; Burns told me that; I don't say that they all mentioned it, and that convinced me that somebody had made a statement. (1967,8)

Before leaving the house, I had a talk in regard to not divulging to anybody the fact that I had been there with the district attorney and others having a discussion on the subject; that matter has come up before and there has been some difference in the statement, but as I remember it Burns told me when I left that I was not to say anything about it, to reporters, I understood for the reason that reporters had been after me right along and I was to deny it to them and if necessary make an affidavit if I was forced to; I supposed that applied to reporters. I might have read that "Chronicle" article of Feb. 17, 1967 prior to that time, but if I did I have forgotten it. (1968)

After I had that talk in the restaurant with Gallagher, I did hear that some other member was supposed to have received money in the starting-rink ordinance, but I don't know from whom I heard that; that was prior to my going to Ray's house the night I saw Burns that I heard it, and after that. (1968,60)

Before I left the house, I promised I would not talk to any person except my attorney about the fact that I had met the district attorney and the other people there, and when I was leaving the house Burns spoke to me about not saying anything to reporters. That is the way I understood it, but I don't remember what reply I made to him; in answer to your question I say I think I did say to him "Somebody they want me to swear to it, the reporters, or something to that effect, now you recall it; it slipped my memory, but I think I did say that, and what Burns said in reply was to go ahead and make the affidavit, or something to that effect. I don't think he meant it that I was to swear falsely in court, or make any affidavit for use in court which would be false, I did not understand it that way. (1968)

Burns was a friend of mine, and how his house came to be selected was that he called at my house a couple of times previous to my going there, but I don't know just how that was arranged; he called alone; on the morning I went to his house I did not



have any engagement to meet Mr. O.; I would like to correct that, I think I am not mistaken Owens told me that O. would be there at a certain time in the neighborhood of Ledda's house, and Owen also told me that I was to go to Ledda's house. (1860,1)

My conversation with O. on the street near Ledda's house was very short, and I just shook hands with him and asked him if it was all right, and he said "You, you go ahead and make your statement; I think Ledda's house was on Bush or California street, or somewhere up there, but I am not sure as I have not been there since. I know of the real house, but I have not been in that neighborhood for a long time." (1861-1)

When I went to Ledda's house Leaden was there and I think Burns was there, and if I am not mistaken Money was there and several others; I later, when I was being examined, Leaden, Wink Leaden and Sprackels were there. (1861 1-2)

It may be that I did not see Money and Burns until after I finished my statement and came out into the hallway; I met them there that day, but I cannot say whether it was before or after my statement. (1862)

In answer to your question whether Ad Lagher said anything to me in the ice cream parlor about how he came to ask me about the skating rink, or how he knew anything about it, I say he never it was nothing and he thought there was something wrong with it, but I don't remember that he said anything about asking my talk with her, and I don't know that he said anything about my having offered him money in it; and I know he said he had a talk with my about the bills. (1863)

I don't know why I was asked to become mayor, I don't think I gave it any thought. It was S. and Leaden who spoke to me about taking the office, and they said they wanted someone to take that position and asked me if I would take it, and I said that it was all the same to me, and they fixed it up but I don't think they said why. They didn't know how long it was going to last, I asked them that and they said it might be for a day and it might be for the balance of the time; I don't think that Benmits' name was mentioned at the time, and I don't know where he was; I know there was something going on, and I believe there was some controversy over who had the right to sign papers or paper. During the time I was occupying the position from July 5th to July 15th, 1907, although I signed them, and I think some of them were signed by someone else, I cannot recall as to the tax roll; I remember that Benmits was in the county jail and that bills for money had to be signed as they could not collect them unless they had his signature. (Stipulated Benmits conviction on June 12, 1907.) (1864-4)

It was Leese, clerk of the board, who asked me to sign that affidavit; I had known him for a number of years, and knew that he was in his office and understood he was close to S. and understood the object of the affidavit was to prevent any of the work members of the board giving out any information. (1865)

#### RECALL OF CONVICTIONS.

Newburgh struck me as serious, but I think he was perfectly natural, and to me he was unintentionally comical, and I don't think he was joking; he was serious. I did answer





Newburgh in the Police Court as follows: "..... and I  
"will repeat it". I can't say that I gave that answer all  
together by reason of the fact that he was criminal, there is  
a great deal of proof in it. I have not been asking any an-  
swers to you because you were criminal or singular, Dr. Borden,  
and because I want to see Borden or least Saturday I did testify  
here that I had said once that I expected the Berkshire money  
yet, and that I could not see any reason why I shouldn't still  
expect it. I do not object to the impropriety of Newburgh as an  
evaluation for last week testimony. (1867, 8)

Next to my house and back that money in his parlor  
and did not think it was a trap, and left the house, and then  
I went to Williams Street and to a livery stable and I brought  
up with me; and he told me he had a good horse for me some time.  
After that I went back to my house in answer to a telephone  
and I told him that, and he told me that I was a fool and I  
was a fool. I left my house, and I don't know how he knew it,  
but still I don't say that I don't know of that. My idea  
is that he simply lied to me, but a man on my track, and I was  
not avoiding anybody and I was not making. (1868, 7)

I think at that occasion Borden told me the amount of money  
received in these various matters. I don't remember if he told  
me the amount of the bills and the kind of bills, but he very  
near as to your question if he told me something about the  
size of them in a general way, I say he seemed to have a pretty  
good idea; I cannot say that he went into details closely, and  
he did to a considerable extent, he just let me know that he  
had a pretty good idea of everything; I did not make a state-  
ment at that occasion; I made a statement in a subsequent oc-  
casion, and when I made the statement I was going to tell  
whatever was asked of me. I did not understand that I was to be  
asked about this fact that I got from my; I thought they would  
not bring it up, and they did not tell me that I was not going  
to be asked about it; I supposed there would not be any ques-  
tion for bringing it up, but I cannot tell you how I got that  
impression, but I felt a little bit out about it when I was  
not provoked in that behalf; I made my statement concerning  
the receipt of money out at Borden's; I did not make any state-  
ment at my's. (1868-71)

I say that Borden told me to make that affidavit if neces-  
sary at my's house. I did testify at the Borden trial on May 18,  
1867, at page 170 as follows: "Well then, Dr. Borden, if I  
understand you in the statement that you made to the so-called  
"Commission, you never made any statement, as to the receipt of  
"this money from Dr. Borden. I never did, no sir. I never  
"saw it. I was told to keep it, and even to make an  
"affidavit against it..... Borden told me to; he told me to  
"keep it and to keep it under lock. I told Borden that and Borden  
"said 'Well, I never told you that'. (1871, 8)

I did not think I was told to make that affidavit after I  
had made my statement; that is not the way it happened as set  
forth in the above case, and the reason I remember it that way,  
that Borden asked me to make it and then Borden did it, and never  
followed it up. I think that was in the first Borden case.



I did testify as follows on the latter occasion: "Rums told me to make an affidavit that was not true; he wanted to keep it from the newspapers; he wanted to protect Ray; I suppose; 'I think it was on that same night when I left there. Ray was carrying out their policy and it was proper for them to protect Ray, and I supposed that I would receive that protection myself, but I have not received it', and that is right. (1875)

I also testified as follows on the same occasion: "I told Henry that and Henry said 'Well, I never told you that'. I never told him'. I told Henry that sometime afterwards, I called him one time when I visited him in the office in case this Ray matter was brought up I should tell all I knew about it, and the word 'Candidly, tell the truth' and I did so, but I told him at that time that I did not know whether I should or not. Henry told me to say it and I did say it to the newspaper reporters, and even to make an affidavit that it was not so. I do remember that I said to Henry at the present time. That testimony is on the second Kings trial; in the first trial it was different. As to it did come up, I wanted to know if I should repeat all the details. I cannot answer your question whether I was then saying whether I should or should not tell the truth, after direction, Henry and Susan differing in the matter. (1875,4)

I don't remember if I signed two copies of the talks statement out there; I swore to my own statement, I don't know if that is the original; I probably signed more than one, but I don't remember, I observe there is no seal on that one, and it is signed by the notary public in lead pencil; I know I signed it at that time, and have not seen it since, therefore he swears now. (1875,5)

After being at Ray's house, I did answer out at Laddie's house as follows: "I don't know that S. said, but some of the 'hackers' called me, I do not recall the particular one, but it was understood they were going to get 40000 pieces." (1876)

I did testify at the third Kings trial as follows: "I don't say how it was coming, but I ask you if there was anything in that talk in the board about money? A. Not to me; I never heard any of them say what they were going to get and how or 'told me what I was to get'. I cannot reconcile that third Kings trial testimony with my Laddie statement. It seems irreconcilable. (1876,7)

I took that Laddie statement home and refreshed my recollection from it. (1877)

I think I told you the other day that I had heard that there were various sums of money in it, 40,000 or 10,000 and I did testify that I heard rumors that there was 10000 in it; and in my statement out at Laddie's I did say: "It was understood that they were to have 10000 first". It might have been so, but I never heard it". I do not remember making that statement until I read over that paper. (1877)

I did testify at the second Kings trial, page 470 as follows: "Did anyone speak to you about the matter of the Franchises, the overhauled Franchise Franchise for the N. B. before the affidavit was passed to print on May 14 1896? A. No sir." (1877)





"Did you receive any money in connection with your vote for the officer afterward?" "I received the money, I think it was \$500.00. Is that a correct statement of that?" "I received the money; it came through that, on account of that, I don't know of anything else. And you were called 'the money man'?" "Yes sir." "It had not been mentioned to you before?" "Yes sir." (1970)

"In refreshing my recollection, I now reading over the statement that I had made some two or three years ago. It is true that the Ford trial that you had just read to me was a very little while after this statement, and I remember that the Ford trial came along with remarkable rapidity. I gave my testimony as best I could remember it, and I don't know why I did not refresh my recollection on the subject by my Ford testimony given under oath as well as from this statement made and there is myself and others. (1970, 2)

"It is my belief that I am telling the truth here, as near as I can after telling it six or seven times; I do not know why that little statement was never called to my attention before in any of the Ford trials when I testified as I did there. (1970)

"Understand I was giving the whole statement under investigation, and I didn't look at it as if I were practically forced to give it by the threat of prosecution by the Roy matter; but Roy did tell me that if I did not come through with a statement about some matters that I would be prosecuted, and that Roy had the evidence on me with respect to the Roy transactions, and that I could know what to expect if I did not come through with a statement. I know that that statement says it was Roy and Roy told me, but it was material to me that Roy had told me if I did not come through they would put me in the prison, after the fact of my previous trial to make the statement. (1970)

"I had suspicion about mentioning Helmer's name in that little statement because I liked him, and the reason I mentioned Helmer was because I was there to tell the truth and I knew it. (1970, 1)

"I did testify in the whole statement as follows: 'Well, when understanding was that for the work I was doing there I was to receive \$10,000 and I did not question Helmer's word as I did that matter myself until the matter was settled. Then I went to his office, he told me that was the best he could do for me, so that in the summer why I did not feel in duty bound not to mention Mr. Helmer's name, because I did not think I have been treated fairly by them. I had been given a promise of \$10,000.' Yes sir; and that was the whole of that payment, but since that time I have heard-- or that 'don't seem to care a rap about anything.' As answer to your question if that is not the reason why I mentioned Helmer's name, I say I did not refer to Helmer personally, but the facts therein stated are true. I went to the court that statement. He never promised me anything; he said he would look out for my interests. I mentioned the other names were getting lost, and what they got I was supposed to get, and it was a misunderstanding that I was to receive \$10,000 if the case was settled. If Helmer had not been there the case would have been settled. I could have made any statement as my feeling is, but I didn't."



not mention his name; the reason I stated that because he did not come through I did not feel in duty bound was because the question was put that way. In answer to your calling my attention to the question really put to me there in my lack of statement, and asking me what there was in that that put me in bed with the whole answer, I say that I probably said too much. I don't know why I did mention Bailey's name. (1061-5)

In answer to your question if J. ever made an offer to me in any matter about money, I say I don't remember him ever making me a direct offer of money; he may have mentioned it, but he did not mention it directly to me. (1123)

I did testify at the preliminary examination on August 4th, at New York, as follows: "Q. Did he (J.) ever make you any money in any matter at all?" A. No sir. "Q. What?" A. No. "Q. Never, in any matter?" A. No sir. "Q. Did you received money in various matters, didn't you?" A. I did. "Q. From him?" A. Yes sir. "Q. That is what I said at that time positively that he did not make me any offer, and I still say so." (1124)

I did not have a general understanding before I took office or at the very commencement of my term concerning how all matters at the board were to be conducted; there was an understanding that the majority should rule; it was not that J. should declare the policy, the board was supposed to vote according to the majority, I did not always do it, but that is the way we were supposed to. It is not true that I voted as it was dictated to me, or as I was advised to vote by J. (1125)

There was no general understanding or agreement when we went that I was to go to the board the board would run in a certain business in a financial way. I had an idea how the financial matters in the board would be done, but I knew very well they would not dare to overstep me. (1126)

I did testify (at New York) as follows: "Q. Did you have any conversation with J. in reference to the matter at that time (August 4th)?" A. No sir. "Q. And preceding that time?" A. No sir, it was a general understanding. "Q. An understanding?" A. Yes sir. "Q. But was the general understanding of the board of supervisors among the members, as to the way they were to do business--was there any actual held, or any thing of that kind early in your time to determine what they should do, how business should be transacted?" A. I believe there was a kind of a held at the very commencement of our term, and the understanding was that a majority of the votes on the questions that would carry the minority, they were to vote with the majority of the board. "Q. Was there not an agreement or understanding entered into by the members of the board, as to the method they would use in doing business in a financial way?" A. We had what is called a held, and he was supposed to lead out the our interests. "Q. He was the boss that you mean?" A. Yes. "Q. Was there any understanding with the different members as to who was to do business through?" A. Not at the time. "Q. When did it first come to your attention?" A. First at the time of the official organization. "Q. Did you have any conversation with J. in which he indicated that Mr. J. would use to your interests?" A. I once talked with J. for my proposition. "Q. Now if you have that J. was to be the boss who was to handle the money?" A. He was the chairman of the





"Finance committee, and he took a very active interest in the Board, and all the members looked to him; it seemed to be a general understanding without being instructed at all." (1895,6)

I do not know a man by the name of Seales, and so cannot say if he was present at any meeting at Roy's house; I think there was a number of persons present at Roy's house with Speechels that I did not know, and I do not know if that man was his private secretary. (1896,7)

Turns had a memorandum, or claimed to have, read from a little vest pocket book, what was in it I do not know except that he read off some things or claimed rather as to the numbers of the bills; he did not read out to me a memorandum of the amount received by the members, he stated that he had a memorandum and in the various matters. He did not mention to me in person in the principal matter as to how much I had received, but he said the members had received \$100 to the best of my recollection. I think he mentioned in the gas matter that the members had received \$100, to the best of my recollection and in the telephone matter he told me how much each of the members had received is that, I think he said \$100 or \$50 if I am not mistaken, he told how much I had received in the Kelly matter, and I think he told me how much I had received or claimed to have in the Kelly matter; I don't remember that he mentioned all four of the different propositions and told the amount, to the best of my recollection he mentioned \$100 in the gas matter, and he mentioned them all. I am testifying at present that I was not sure whether I had received \$100 or \$50 in the gas matter; I was a little bit confused that day, but I don't think I have been very much confused since then, but I am liable to make some mistakes. (1897,8)

I think Burns told me that he was in the back room of the place I visited the evening before, and that a person was there, and he may have mentioned someone else, but I don't remember now; I don't think that he mentioned that Speechels or Roy or Larkin was there. (1897,9)

#### FURTHER SUBJECT RECONSTRUCTION.

I was introduced to Colburn on Fillmore street at the corner shortly after the fire, and I think that was where the meeting was held; I had lunch there one day in a car, and there were quite a number of people in it; it was a lunch that had been extended to members, as I understood it at all times, and there were some members there and some officers of the company and Mr. L. I don't remember who I went with, but I might have been Colburn as he was there on that day, and I think G. was there; I think L. introduced me to Colburn but there was nothing said to me that day that I know of in regard to the permit war in my presence, and Colburn said nothing to me on the subject. (1899,1)

I am testifying as follows at Colburn's trial. Q. What was the next conversation? A. The oversight meeting of the M. L. Co. What was the first proposition made with reference to that? Q. That was shortly after the fire, April 13th; that is two or three weeks, when things began to settle down, and the explanation was made to the members of the Board of Supervisors that



unless we granted this franchise, or unless we passed it in  
the board, -- it had already been granted by the mayor; unless  
we sanctioned it by vote of the board, that we would be unable to  
construct that road for perhaps a year. That was the statement  
given out generally. I don't know exactly where it origin-  
ated, but was a statement circulated around among the boys.  
Q. Do you remember whether there was any attempt to do business  
with the board before the trial? A. Not as far as I know.  
Q. Then, where was the money given to you and by whom?  
A. The writer of the over-head trolley system? A. Mr. G. furnish-  
ed the money and I think it was paid -- I know it was paid \$5000  
at one time and \$3000 at another time, a total of \$8000.  
Q. What was all you got, \$8000? A. Yes sir. On the trolley?  
Q. Yes sir. And was that paid before or after the  
trial was held? A. Which the franchise was granted? I think  
it was paid before the trial. Did you have any material which  
was to be used in the trolley system granted as to terms, etc.  
Q. Yes, I had. I had a list of the names of the members told me  
as to the names of the members told me, but it was understood they  
were to give their names. A. It was understood that they were  
to give their names. A. I might have been so, but I never  
heard of it. I never heard you were to get \$8000. A. Yes, sir,  
it was understood that it was intended to go through, grant-  
ing the privilege of the over-head trolley, and that there would  
be a trial in it for the board. Do you recall at this time  
before you got this information? A. Sometimes one super-  
visor and sometimes another, might have been supervising it. At  
the trial time mentioned it is so; there was some of them  
there, they were to look into the board, and the informa-  
tion was given them. Might have been supervisor G., I am not  
certain, but they were supervising at the trial at that time.  
Q. What trial was that at Madison?  
(1211-2)

I did testify at the trial held just preceding  
that Mr. Rogers called me after the trial, as follows: "I know  
you said that nobody spoke to you directly about the trolley  
road to be built. I know it was talked of generally by  
all of the members, and anybody passing the headquarters at  
Madison will hear talk of it, it was in the air. I know  
that the talk." A. That it was altogether likely that a franchise  
for an over-head trolley would be made for an over-head trolley fran-  
chise. A. I had heard anything in that talk. A. No,  
I did not know where it was coming from. A. That is what  
I know it was coming through. A. I don't see how it was  
coming, but I ask you if there was anything of that talk in  
Madison about money? A. How is that? I never heard any of them say  
what they were going to get and nobody told me what I would  
get. A. What did you mean a person got when you said you  
knew it was coming through? A. Well, all propositions of  
"great importance, such as the over-head trolley franchise, were  
generally arranged by Mr. G. and his associates and everything  
was made out of them from Mr. G." (1211-3)

At that time in the trial held Monday told me  
what I would get, I mean that no one told me directly. I  
recall that nobody came to me directly, and said "We will provide  
that amount of money". (1211-4)

When I said "I know" preliminary examination what was said  
to me by Mr. Rogers is the effect that I never made an offer  
to me in any matter, as I said before I don't remember of any





member of the board ever making a direct offer to me of money, Gallagher or anybody else, and I meant a direct offer in that testimony. In answer to your question what I mean by an offer, I say if Dr. G. came to me and asked me if I would vote in favor of a proposition that he would pay me a certain amount of money for doing so, I would consider that a direct offer; if he simply said "There is going to be \$4000 in this treasury matter, Senator", I would not consider that an offer. In answer to your question whether when I testify that no offer was made to me by Gallagher in any matter, I mean by that statement that G. had never at any time offered money to me in any matter before the vote came up on it, I say as I have said before, I don't remember any conversation with Dr. G. but he might have made it-- I would not want to swear positively that he did not talk of it in my presence. (1900-1901)

I do understand of before the vote in the gas matter that there was money coming through, and as to your question did I understand what the amount was before I voted I say I had a pretty good idea; and in answer to your question if I had the idea it was \$200, I say yes they I don't know how I got that idea; a part of rumor or talking among the different members. There were thirteen members there and they were all talking over the gas matter for that fiscal year, the same as they were of anything else; some of them possibly mentioned one to the other that there was to be a certain sum in it. In answer to your question as to the understanding was at that time as to where the information came from, I say I had a pretty good idea where it came from, and my understanding not only as to the amount but also as to the vote came from Dr. G. and from the administration. (1898-1900)

What I meant by my answer to Dr. Rogers a while ago that I had an idea how the financial matters would be done in the board and that they would not have to overlook was that I understood that G. was representing the board, was in touch with it, and as to not overlooking me I meant that they were not looking for trouble, that is opposition to any proposition that they might bring up in the board. (1902)

In answer to your question what my understanding was as to how financial matters would be done in the board, I say I had my understanding as to that, I simply accepted what Dr. G. handled me. (1901)

After leaving Dr. G.'s house that night I remember I said I would like to talk it over with G. but that was not agreed to, and I was requested not to speak to G. and I did not. (1900)

The statement of the amounts which was made to me by Burns on the night I was at Dr. G.'s house did not have anything to do with the answers which I gave at McGee's house. I did not fix the amounts at McGee's house at \$200 in the gas matter, \$200 in the gas, \$200 in the telephone and \$200 in the trolley, because Burns had told me to do so, and he had nothing to do with my statement at all and I would not have done it if he had. When Burns mentioned these sums to me at Dr. G.'s house I do remember that answer I gave him, but I did not admit that they were correct, and I did not admit that I knew anything about the subject or anything at all. (1900-1901)



FURTHER PRELIMINARY EXAMINATION.

I supposed that the information I got as to the amount there was to be in gas came from A., I don't say that I got any direct information from A. In answer to your question A. never discussed money with me at all I say I cannot swear to that, he might have mentioned it in some of the conversations we had, but I could not be sure of it. (1922)

< I did testify at the last preliminary examination that I never discussed money with A. and never made any offer in any of the cases in which he afterwards paid me money, and never made me an offer in any case, and that I had no intention of all this; and I am saying that now and to the best of my recollection that is true as I remember it, and that A. preliminary testimony that he just offered to pay me is considered as the truth of my testimony, and I think I have said the same way here today. (1923.4) >

The one who I tell that A. of the cigarette machine was to pay him some money a week, probably after the first and it was just something to get. (1924)

I don't think I ever used the oil cigarette and I don't think I ever used the machine. (1925)

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Leading Items in Testimony  
of  
WILSON, MCGUSHIN, PHILLIPS,  
HARRIGAN, MAMLOCK, KELLY,  
DAVIS, COLEMAN, BOXTON,  
NICHOLAS, FUREY,  
At CALHOUN TRIAL No. 1436.









LEADING ITEMS IN TESTIMONY

of

WILSON,

REGUSIE,

PHILLIPS,

WARRICK,

WATKINS,

WATKINS,

DAVIS,

GOULD,

BOXTON,

NICHOLS,

FURRY,

At CALIFORNIA TRIAL, No. 1436.



LEADING INDEX

is testimony of

WILSON

at the CALIFORNIA TRIAL No. 1436.





(first column indicates page of volume entitled "COMMITTEE TESTIMONY OF ARTHUR WILSON AT THE CALHOUN TRIAL (#1436.)" second column indicates page of testimony in Calhoun Trial (#1436.)

|   | PAGE OF<br>TRUST. | PAGE OF<br>COMMITTEE. |
|---|-------------------|-----------------------|
| Trolley first up before Board May 14th, 1906.   | 1,                | 1949                  |
| Several talks with G. and with R. after fire on trolley; first one with G.; G. came up with R. week before May 14th and said get in touch with members and see how felt, they negotiating with R.; R. came up shortly; that near Cantor's.    | 1,                | 1949, 1952            |
| Next talk with G. day or two later when I reported to him had seen good man and favorable; Henry Hall.  | 1,                | 1952                  |
| Next talk with G. on May 14th, gallery Henry Hall, I asked if four thousand as stated by some members was right, and he said yes; either then or before he told us I got something about ten thousand or more; think this at previous talk.   | 1, 2,             | 1952, 1913            |
| Some had talked to me before I saw G. on day passed to print, and I reported back to some that day before passed to print, Carey and Mullock and others I cannot recall.  | 2,                | 1952                  |
| Got ten thousand dollars from G. in two payments; first payment first of August, City Hall, and G. said on trolley; small bills, ones, twos, fives, tens, and I think a few twenties; but not positive; old currency; put it in U.S.N.I. box. | 2,                | 1913-1952             |
| Second payment five thousand dollars Thompson's, small package; all hundred-dollar bills; deposited with C.I.L. & T. Co. on August 30th; deposit tag; checked against it then.  | 2,                | 1913-1952             |
| First talk with G. on trolley; Henry Hall, week or ten days before passed to print; he said negotiating with railroads of L.R., and said had returned for changes, to be done in two sections, and that G. would tell me amounts later.       | 2,                | 1952                  |
| Second talk with R. just before meeting when passed to print, Henry Hall; R. said would send permit to board roads and for me to present it and make strong talk;   |                   |                       |



don't know if saw ordinance before  
board adjourned.

3, 1949-1961

CROSS-EXAMINATION,  
favorably disposed when A. asked  
me talk for it; possibly talked with  
people; don't recall merchants, but  
carmen, talked with members of Merchants'  
Assoc. before fire; possibly after fire,  
great guy talked to me and I expressed  
freely about it; preferred trolley to  
cable; never saw conduit.

3, 1943, 1963

dislike, thorough; favored trol-  
ley, talked with many; engineers; favor-  
ed surface system, that is, trolley, and  
favored Market street.

3, 4 1943-1966

from fire to day late I favored an  
action regardless of money.

4, 1966

fundamental poles: electric lights,  
underground feed wires.

4, 1963, 1967

In Glasgow twelve or fourteen times  
and discussed on steamer.

4, 1966

after reading first Ford trial testi-  
mony I remember merchants and carmen all  
wanted it; first vote cast, and result.

4, 1963, 1966

were substitution of motive power.

5, 1963, 1970

spoke to possibly half of board after  
first talk with G. but only felt out and  
no mention of money and not sure if any  
mentioned to me; best recollection favor-  
ably disposed and that were mentioned mon-  
ey; not so business to generally talk mon-  
ey; paving the way; found no dissenting  
voice.

5, 1970-1973

first money on prize fight; G. asked me  
vote for it as administrator favored and  
program, but don't think offered any money  
or mentioned any; as strong of the mind no  
mention of money to me in prize fight until  
weeks after the vote when G. gave it to me.

5, 1974, 1975

when G. told me prize fight program I  
made up mind vote for it regardless of mon-  
ey.

5, 1975

sufficient for me that a better program  
without money, and money not needed, then,  
with me.

5, 1973, 1975

If thought money in a thing I expected  
mine.

6, 1976

later when found money on matters I ex-  
pected mine; if A. given money for board I  
expected participate.

5, 1978

Testified at second H.T.: "I never men-  
tioned money matters to Mr. H., it was enough  
that it was his program. If he arranged any  
money matters it was satisfactory." If H.  
started off without money I would have sup-  
ported without money.

5, 7 1977, 1981





Gas rates matter, caucus, favored it at caucus, no promise till after caucus, big dispute at caucus; prior to vote on board told money.

7,8 1981-1986

Testified at Gladstone about gas, etc., and that did not know anything more, along on it until after the ordinance was passed finally and that A. then told me but I got mixed up as to the caucus, etc.

8, 1985-1989

Caucuses on Parkside, etc., and what said there and about Ocean Shore.

8,9 1990-1995

Talk with A. about Parkside and Ocean Shore, worth a million dollars.

9, 1995-1997

Continuation of talk with A. on Parkside after roll call.

9, 1997,1998

Testified at Second P.T. that A. told me about it and told families and that I had a further talk with him at same caucus.

9, 1998,1999

What I did and said on Parkside.

10, 1999-2001

C. had told me it was program to delay it and later that it was program to pass it and I then voted for it; got no money.

10, 2001

In that talk on trolley with A. he did not mention any amount of money but said negotiating with A. and for me to sound out.

10, 2001,2003

I sounded majority and reported to A. seemed favorable and willing with about money.

10, 2003,2004

First talk with C. on trolley near Gunther's, week previous, promise to print about May 7th, a day or two later told him members in favor.

10,11, 2004

C. told me ten thousand or more in it for me; not definite; think this day passed to print but don't know if in four thousand dollar talk but think it was; some said money to be cut up and possibly twelve thousand for me, but twelve thousand not mentioned that day but later so.

11, 2004-2005

Testified before C.J.: "C. told me ten thousand dollars for me and four thousand for others.

11, 2005-2009

Think four thousand dollar talk same one as ten thousand dollar one to me.

11, 2009

Class testimony as to ten thousand dollar talk; A. not first to tell me of amount to others; I got it from board and then talked to him and he said correct; before that talk with A. I had heard Percy, Harlock and others talking about eight thousand and four thousand, and I asked C. which right and he told me four thousand, and I think at same time told me ten thousand for me.

11,12, 2009-2011

At first I think I testified that C. mentioned ten thousand to me in reply on Valencia street some time afterwards,













cussion heard Lonergan trapped and later I knew Lonergan and others trapped, and had G. take me up to R's office.

23, 21082

About a week prior to going over to Prosecution had a talk at R's office at which Lonergan and G. were present.

23, 21091

R's message to sit on lid; I trying to save situation.

24, 21095-21107

At talk with G. before he went to Presidio I understood Walsh, Lonergan and Baxton had confessed and that influenced me.

24, 21116, 21117

R.T. testimony as to fair trial.

24, 21118-21120

Testimony at third R.T. as to conversations with R. about four thousand and eight thousand in trolley.

25, 21121, 21121

Testimony at G.D. as to offer in gas matter.

25, 21121, 21122

Was Spreckels at first and second Glass trials and at first R.T.

25, 21124

Then said at third R.T. had never met or spoken to Spreckels since I did not include wedding to him.

25, 21124, 21125

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LEADING ITEMS  
in testimony of

McGUSHIN,

at the Calhoun Trial, No. 1436.



(First column indicates pages of volume entitled "COMPLETE TESTIMONY OF SUPRENTENDENT DAVIS, McQUEEN, HARRIGAN, BERTON, AT THE CALHOUN TRIAL #1456"; second column indicates page of transcript of testimony in Calhoun case.)

|   | PAGE OF<br>DIGEST | PAGE OF<br>RECORD |
|---|-------------------|-------------------|
| Talked only with G. before May 14th on trolley; Mowry Hall; day or two previous; asked how I felt and I said mind made up to vote in favor and he said "I am glad we are going to have an unanimous vote and you will be remembered". And I said "That cuts no figure, that cuts no figure in any case."  | 11                | 1586-1588         |
| Four thousand dollars two payments; first about middle of July or beginning; Mowry Hall; envelope; fives and tens, twenties and some fifties, I believe; just said "The same will come later".  | 11                | 1589              |
| Second payment think first week September; Mowry Hall; envelope; fives, tens, fifties and some hundreds; not a word said.   | 11                | 1590              |
| CROSS EXAMINATION.  |                   |                   |
| Strong public ownership.  | 11                | 1590              |
| Voted for trolley because of conditions.  | 11                | 1591              |
| Testified at first Ford "G. approached with considerable reserve and said would like unanimous and I said mind already made up to, press and public clamoring and even railroad men or employees approached me and requested. Had already made up mind". Several uniformed employees told me wanted work, and wanted trolley system as soon as possible, and Cornelius said he thought the right thing and that the men needed work, and that I should vote for it. | 12                | 1591-1593         |
| Signed affidavit conscientiously, as I had never taken a bribe. No bribe in trolley matter, because I had no previous understanding on any matter, and never voted with mercenary motive. No previous understanding on trolley matter.  | 12                | 1593-1595         |
| No money on gas, and never heard till read newspapers.  | 12                | 1595              |
| G. once said "This is something to meet your campaign expenses with", and some weeks later I discovered it was prizefight.  | 12                | 1596              |





|   |    |            |
|---|----|------------|
| Voted against Home and got no money.  | 12 | 1596       |
| Voted against Parkside, and did not hear of money until road about it.                                      | 12 | 1596       |
| Trolley ordinance provided new motive power, burying wires, ornamental lights.                              | 12 | 1596       |
| Would have voted for trolley in any event under circumstances as then existing.                             | 12 | 1596       |
| REDIRECT EXAMINATION.   |    |            |
| Voted against Parkside on account of Municipal Ownership.   | 13 | 1597, 1598 |
| I might have done wrong in allowing G., whom I can recognize as the arch-temper in my case, to approach me. | 13 | 1598       |
| Talked with Cornelius before passage to print, but not about term; understood full term.                    | 13 | 1600-1603. |

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|   |        |            |
|---|--------|------------|
| Could not see how corporation could make permanent improvements on short franchise. | 13, 14 | 1603, 1604 |
| General clamor for transportation, town in ruins.                                   | 14     | 1604       |

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| Page | Number | Text                                  |
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LEAH ITTS.

In Testimony of

PHILIP.

At the Calhoun Trial (#1436).

- - - - -





(First column indicates page of volume entitled "CONFIDENTIAL TESTIMONY OF WILLIAM NICHOLAS, COLLEEN, PHILLIPS, LOWRY, AT THE CALHOUN TRIAL." Second column indicates page of transcript of testimony in the Calhoun trial.)

|  | PAGE OF<br>EXHIBIT. | PAGE OF<br>TRANSCRIPT. |
|--|---------------------|------------------------|
| "I presume I did" have talk in relation to trolley before it came up, it was generally discussed.  | 71,                 | 1828                   |
| few days or week previous, Lowry Hall, G. told me coming up and eight thousand in it, and I said in fever.   | 71,                 | 1828, 1829             |
| four thousand dollars in two payments; first about a month after final release, Lowry Hall, two thousand dollars too he said in part payment and I said he said eight thousand and we had dispute.   | 71,                 | 1829, 1830             |
| first payment mostly fives, tens, I think some twenties, and some smaller; by smaller I mean ones and twos; mostly fives; can't remember number of each; large envelope.   | 71,                 | 1830, 1831             |
| second payment month or six weeks later, in August; two thousand dollars; twenties and fifties, mostly fifties; smaller envelope than first G. and I had another dispute about amount.   | 71,                 | 1831, 1832             |
| Murn's comments to me on testimony of Coffey; I conveyed to Coffey; he indicated.  | 72,                 | 1833, 1834             |
| Money's comment to me in second P.T., called on him that night; resumed next day; Coffey incident did not affect me; Money did accuse me then with not telling the truth; circumstances of case, copy of my testimony given me by G. and told me read it over. | 72, 73,             | 1834, 1835             |
| repeats Money talk on trolley with G.; don't know if he said eight thousand dollars in first or last part of talk.   | 73,                 | 1835, 1836             |
| story of previous testimony, conferences with District Attorney on same; transcripts furnished.  | 73,                 | 1836-1843              |



Did tell E. trolley a good thing and necessary and I in favor of it and that then he said probably eight thousand.

75,74

1843

Don't think heard four thousand before vote; don't think heard any rumor.

74

1843, 1844

Cobb and Burns and Henry present once with me at district attorney's office.

75,

1844, 1845

Usually looked over testimony before testifying and talked with district attorney; except second time.

74,

1844, 1845

By committees; Paradise held in committee and why; G. requested it; after lunch told hold up until fixed up; Green to me; did say of Paradise case "until money came through."

74,

1846, 1850

When G. asked me hold up Paradise until fixed up did not understand far him to get money, but testified contrary to Paradise case.

75,

1851-1853

Board stood together in all matters.

75,

1853

Caucuses weekly before fire and oftener afterwards.

75,

1853

Cannot say trolley discussed at caucus but do not deny it; I cannot recollect, I know it was discussed at board meetings.

75,

1853

Caucus meeting-places after fire.

75,

1854

First payment in July.

75,

1854

First payment much larger package than second, so I take it that first payment was small bills; mainly fives, a few tens and twenties and probably some ones and twos.

75,

1855

At second E.T. I had been working hard and had forgotten the denominations.

75,

1855, 1856

Don't remember tel. franchise postponed at request of G.; think Home Franchise went before Public Utilities Committee.

75,

1856

How Ocean Shore went through; stipulation as to dates thereon.

75,

1857, 1858

Testified at Paradise case great dissatisfaction over Ocean Shore.

75,

1858, 1859





Twenty-five hundred from Halasy,  
 thirty-five hundred from G. in telephone;  
 did not give back to H. 76, 1856, 1861

Understood G. to say eight thou-  
 sand in it and don't think he said "probably";  
 testified at First F.E. he said probably  
 eight thousand in it. 76, 1861-1863

Got money in gas but don't think told  
 in advance. 77, 1863

Don't think told money to be in prize  
 fight; think no previous offer. 77, 1863

Think would have voted for Trolley in  
 any event. 77, 1869

Immunity. 77, 1869, 1870

Immunity for E. 77, 1870

Affidavit in Langlois-K. case. 77, 1870, 1871

#### WITNESS EXAMINATION.

G. and I have always differed about  
 the eight thousand dollars and the four  
 thousand dollars. 77, 78 1874, 1875

Conferences with district attorney  
 on testimony; transcripts. 78, 1875, 1877

Don't recollect any particular caucus  
 on trolley but may have been. 79, 1878

Don't know if trolley application  
 filed on same day as passed to print. 78, 1878, 1879

Got Halasy money shortly before latter  
 came up in board, latter part February; voted  
 for him because G. and E. advocated it. 78, 1880, 1881

Circumstances of signing E.-Langlois  
 affidavit. 78, 79 1881-1883

First learned of caucus going to come  
 from Moore; considerable controversy in caucus  
 and after caucus E. told me thirty-five hun-  
 dred; at caucus G. and E. and Louisia advocated  
 him. Received the thirty-five hundred short-  
 ly after caucus. 78, 1883

Met by brother in Henry La filed out if  
 sanctioned immunity arrangement and reported he  
 did. 79, 1883-1885



RECORDS-EXAMINATION.

Complied with nearly everything R.  
 wanted while on board, because he leader  
 of party and controlled all the board and  
 me.

79,

1185





1881 1881

in testimony of

HARRISON,

at the Calhoun Trial, No. 1436.



(First column indicates pages of volume entitled "COMMITTEE TESTIMONY OF HARRISON, DAVIS, LECHE, HARRISON, HARTON, AT THE CALHOUN TRIAL #1434"; second column indicates page of transcript of testimony in Calhoun case.)

|   | PAGE OF<br>EXHIBIT. | PAGE OF<br>TRANSCRIPT. |
|---|---------------------|------------------------|
| Heard in advance four thousand or five thousand on the trolley, but don't remember who, talk in the board, we must have been some member.   | 16                  | 1609, 1610             |
| Four thousand dollars from G. in two equal payments; first payment cash of \$100, Henry Hall; ones, twos, fives, tens and twenties; package an inch thick; said nothing.  | 16                  | 1611                   |
| New York August 1908, and first payment previous and second payment subsequent; second payment fives, tens, fifties and hundreds.   | 16                  | 1611, 1612             |
| Affidavit.  | 16                  | 1612                   |
| Shortly after induction, G. said would represent H. and would be leader. He't think G. would be leader, and did not say H. told me to be leader.  | 16                  | 1614, 1615             |
| Testified at preliminary examination: "G. told me H. told him to be leader."  | 16                  | 1615, 1616             |
| In first talk G. said very important matters in which something doing, and would treat all equally and take care of interests, and see treated fairly; and I relied on G. and looked to him as the man who would get the money for us.  | 17, 17              | 1616                   |
| I had understanding with others vote together on important matters.   | 17                  | 1618                   |
| Testified at H. preliminary: "Look to G. to represent board in money matters. General understanding when all vote unanimously in important matters, and that G. should get any money for us if there was any in the proposition".   | 17                  | 1618, 1619             |
| Told G. would vote with administration; always voted with G.  | 17                  | 1620                   |
| Testified at H. preliminary: "We generally followed G. Understood generally whenever we followed G. if any money H. would get it for us. I thought understanding if any money be all treated the same way". That is so.   | 17                  | 1621                   |
| In one spoke to me about trolley; heard rumors. Heard ought to be five thousand and ten thousand; that from rumors; maybe false; don't think either; the money is something coming through an my father; rumored in trolley, heard rumors; did not know amount positively and really heard ought to be five or ten. | 17, 18              | 1621-1623              |





Testified at H. preliminary: "I understood members generally understood if U.S. wanted trolley should pay liberal sum, and that before application filed; heard ought to be ten thousand, general talk; think I talked with Kelly".

18 1823,1824

I did not understand from G. money to be in principle, but did from somebody else, but don't know whom.

18, 1824

G. gave four hundred seventy-five dollars.

18 1824

Understood money to be in use before vote, but don't know who; got money.

18 1824

Before vote talked with Kelly.

18 1824

Don't think ever talked with Kelly.

18 1824

On reading Grand Jury was my I did talk with Kelly, and that I told him would vote with administration.

18 1828

One payment in ones, tens, fives, tens and twenties. I testified before G. J.:

"First payment were mostly all one hundred, fifty, twenty, ten, five".

18 1826

On instructions on Perkins as to how to vote; just followed G.

19 1828,1827

Understood in town wanted trolley, after five, and my personal view in favor, but I would follow G.

19 1827

Immediately.

19 1828

Don't understand affidavit and know false.

19 1827,1828

#### RESPECT EXAMINATION.

Testified at G. J.: "First payment mostly all one hundred dollars, fifty, twenty, ten, five. They ran that way in all three payments; did not pay much attention", but did not recollect help cast which resulted the different bills took out as out of first payment.

19 1828-1830

Don't recall of money in trolley just before came up in board.

19 1830

Think it was my trolley was overriden board sums of money; do 't know how many members, but considerable talk, four thousand or five thousand, some ten thousand. But no account in mind when voted about money, but expected something, four thousand or five thousand; all seemed to think four thousand or five thousand.

19,20 1830,1833

Followed G. in voting as he was leading as in what was he represented G.

20 1834

Remembered distribution matters.

20 1834

Understood G. would get money and would give from G.

20 1834,1838

I understood defendant's conversation in police court.

20 1838

Got 60 votes from F. J. Perkins; got six thousand dollars of money from G., and voted for it, and was told before; another vote was not told.



had understood from rumor thirty-  
five hundred dollars.

20 1638,1639

Never asked G. to get money for  
heard anyone to so, nor agreed with any  
member try to get money.

20 1636

Had no discussion as to permit term  
and had no understanding; I understand  
term entire length, but don't know if  
that occurs ordinance read.

20 1636,1637

Testified H. preliminary; "Understand  
that members understood if G. H. wanted,  
should pay literal, heard ought to be  
ten thousand." By understanding, four  
thousand or five thousand, but did not  
know exactly; don't know as I got ex-  
pectation four thousand or five thousand  
or one more. Don't know why I said ten  
thousand instead of four thousand or  
five thousand more. I testified at H.  
preliminary. "Heard ought to be ten thou-  
sand, general talk, don't know who, think  
Kelly and me; don't think Kelly; not  
Perry; might be Kelly; not Sanders, McKe-  
in or Nichols; think Kelly and Walsh, may-  
be not. We grouped ourselves together  
and discussed the amount that ought to be  
paid. Two or three at a time, and we  
would wonder if anything coming through,  
that about all."

21 1637-1640

A. Never told us got money from H.  
and never talked about H. and money matters;  
did testify at preliminary ex. of H.  
that I did not know from whom H. obtain-  
ed the money, and I did not, and nobody  
told us he got it from H.

21 1640,1641

#### WITNESS EXHIBIT EXAMINATION.

Did not talk with others where money's  
coming from; but seemed understood H.  
gave to G. to give to us.

21 1642





LESLIE LINDS  
in testimony of

his hand

at the CALIF. PRISON, No. 1450.



(First column indicates pages of volume entitled "COMPLETE TESTIMONY OF SUPERVISOR McKELOCK, FURNEY,

|   | PAGE OF<br>DIGEST | PAGE OF<br>RECORD |
|---|-------------------|-------------------|
| Wilson told me four thousand in trolley, Henry Hall, day passed to print; think said up today and four thousand in it.  | 1,                | 1908, 1909        |
| Directly after talk with Wilson and on same day had talk with G., front of Henry Hall, just said four thousand, but did not say in what.  | 1                 | 1909              |
| About a week after July 4th got two thousand from G. at same laundry company, but don't recollect denominations, and cannot recall another payment; when he gave me that final payment, he said not to tell the other boys, as had not said them yet. | 1                 | 1910, 1911        |
| Don't know anything about general understanding among members about money; only things I knew money in in advance were trolley and telephone.   | 1                 | 1911, 1912        |
| Testified at A. prelim.: "I understood that there was a general understanding among the members that there would be money in important measures and I would get it and distribute it; and other supervisors had same understanding."                  | 1, 2              | 1912, 1913        |
| I regarded G. as leader and followed him. In little matters I voted independently. If he said "no freemasonry," I would have voted against it and vice versa.   | 2                 | 1913-1915         |
| I favored trolley and would have voted for it without money.  | 2                 | 1915              |
| Practical electrician.  | 2                 | 1915-1917         |
| Took no pains to conceal my opinion.  | 2                 | 1917              |
| If nothing said about money would have voted for trolley, as thought it good thing; don't know what would have come if G. said "Vote against it".   | 2                 | 1917, 1918        |
| Understand G. got orders from A.  | 2                 | 1918              |
| Have heard others testify and memory refreshed and read testimony; at attorneys office and read over.   | 1, 2              | 1918, 1919        |
| Testified before A. J.: "I think it was G. told me about money coming on trolley; he did not name any definite amount, but I understood something."   | 3                 | 1920              |
| Testified at First Ward: "Wilson told me four thousand in trolley; I think it was Wilson. A. Anybody else told me A. G. might have told me but could not say positively."   | 2                 | 1921              |
| Testified at First Ward: "I think it was Wilson spoke to me before ordinance passed to print, and he said four thousand." I am now as positive both A. and Wilson; refreshed from attendance on trials and thinking over.                             | 2                 | 1923              |





Wilson spoke to me about trolley  
some day it came up, and I. half an hour or  
so afterwards.

5

1925

Testified at second Ford: "Think the  
time G. talked to me about trolley was af-  
ter lines had been opened, and before ordin-  
ances passed to print, after temporary per-  
mit."

3,4

1927-1928

Testified at second Ford that uncertain  
as to time that G. or W. spoke to me about  
trolley, and could only fix it between these  
two times, between the time the mayor grant-  
ed the permit and May 14th, three weeks.

4

1925

Lead over testimony at District at-  
torney's office.

4

1926

G. spoke to me and said four thousand.

4

1926,1927

Testified at third Ford: "G. told me  
four thousand and was very definite as to  
the sum." At G. J. my mind bothered, memory  
refreshed from reading testimony and hear-  
ing others testify.

4

1926-1928

Don't remember second payment.

4

1926

Immunity.

4,5

1929,1930

Witness.

5

1931

WITNESS STATEMENT.

Circumstances of signing affidavit.

5

1931,1932

Followed G. because representative of  
A., to whom I owed my nomination; fol-  
lowed G. in all important matters, and be-  
lieved I was carrying out the wishes of A.

5

1933,1934

In trolley and telephone believed  
some money coming probably.

5

1934

G. and I. told me money coming in tele-  
phone before passage; mixed up affair; told to  
go and see Helsey and then later told ap-  
posite going to take place; I. told me to see Hel-  
sey; I don't know who told me how much in home.

5,6

1934,1935

Got thirty-five hundred in the Home  
from A.

6

1935

Covered trolley and think would have  
covered it before the fire.

6

1935,1936

Cars were running on May 14th on some  
roads.

6

1937

Testified at first Ford: "Wilson told me  
four thousand; I think it was Wilson; G.  
might have told me, but could not be posi-  
tively. Did say before G. J. that I thought  
G. told me, but that he did not fix definite  
amount, but that I understood there was to  
be something in it and when asked what I left  
Wilson out, I said that Wilson also spoke  
to me about it."

6,7

1938,1939

Visits to District attorney's office.

7

1939-1942

WITNESS STATEMENT.

No alternative system presented, except  
Geary street, and we decided that as the only  
one.

7

1942,1943

Geary street contract was decided out.

7

1945



Got five thousand from Helser to oppose  
Horne and did not give it back, and did not  
vote his way, and took thirty-five hundred  
to vote another way.

8

1944, 1945

Got seven hundred fifty in cash.

8

1945

Set nothing on Lakeside but expected.

8

1945.

RE-CONTRACT BUILDING.

Got five thousand from Helser in Mills  
building and he said vote against Horne. and  
I said administration with him and I led  
me to think so, and later found out not. Think  
it was best say talk with Helser at Water Leaf  
and he told me administration filed for Horne.

In following Sunday night caucus, voted for  
Horne and I voted with majority because of  
administration.

8

1945-1947

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DAVID R. HARRIS

In Testimony of

TRUTH

at the CONSTITUTIONAL CONVENTION (1986).

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(First column indicates page of volume entitled "COMPLETE TESTIMONY OF SUPERVISORS ROBERTS, ROBERTS, WILLIAMS, KELLY AT THE CALHOUN TRIAL." Second column indicates page of transcript of testimony in Calhoun trial.)

PAGE OF  
DIGEST PAGE OF  
RECORD

Talk with G., think on some day or-  
dinance come up to print, Henry Hall: "We  
"are going to put through trolley today and  
"four thousand in it" and I said "all right,  
"yes in favor of it anyhow."

81, 1446-1448

Four thousand dollars in two pay-  
ments of two thousand dollars each; first  
payment four or five weeks, kind of recol-  
lection no small bills in it under five  
dollars, and don't think over a hun-  
dred, but not sure; am positive none under  
five and none over a hundred; don't re-  
call size of envelope; think there were  
fives; may have been tens; possibly  
twenties.

81, 1448,1449

Second payment six or eight weeks  
after first but not exact and don't fix;  
near Henry Hall, think bills larger;  
probably fifty or one hundred dollar  
bills or probably all hundreds, don't  
know which, no small bills; just said  
"This is yours." When made first pay-  
ment said did not have currency and  
changing money.

81, 1449,1451

#### CROSS-EXAMINATION

G. said "Going to put through  
"trolley and four thousand;" think he  
said "today", just as sure as of the  
fact of a tilt.

81,82 1451,1452

Testified at Second F. T. "H.  
"spoke to me and that some time pre-  
"vious to introduction of ordinance,  
"I think, not a very great length of  
"time; it was after five and I could  
"not put it more than a week or ten  
"days at the latest before the ordi-  
"nance came up. Possibly not able to  
remember at second Ford; memory feeble  
except as to the main issue. Am not  
sure of "today."

82 1452-1454

Testified at First Ford that he  
said it would be a good thing to put it





through, necessity and some consideration;  
don't know how I came to say that. 82, 1460,1461

Testified at First Ford: "Q. Did he  
say how much? A. I think he mentioned four  
thousand dollars." 82, 1461

Not under salary from Bureau and re-  
ceived no money from Organization. 82, 1461

Testified at last F. I. that W. said a  
good thing and a necessity and that there  
would be some consideration in it and that  
that all. 82,85, 1462,1463

Testified at Third Ford that I did  
not recall it in that way that it was a  
day or two later that he mentioned the  
four thousand; and also testified there  
that he said in First talk that there  
would be some consideration. 82, 1465

Only one talk with A. as trolley;  
can't explain third W. testimony. 82, 1464

I think he said four thousand; can  
not say positively he said that would be  
exact amount but he mentioned four thou-  
sand dollars; he said about four thousand. 82, 1465

Testified at Third F. I. that he then  
went on and stated what the consideration  
would be but that my memory not very good,  
but he said to me there would be some con-  
sideration in it, about four thousand dol-  
lars. 82, 1466

Am not prepared to say positively  
how it was because my memory very poor. 82, 1466

Believe these two talk changed the  
members about something to be brought to  
be in trolley before A. spoke. 82,84, 1466

First payment bills from five to one  
hundred dollars, none less than five and  
none more than one hundred. 82, 1466,1467

Cannot tell exactly what I don't recol-  
lect denominations of second payment, prob-  
ably twenty, fifty and one hundred. 82, 1467

Testified at First Ford that Bureau-



inations of first payment ranged from ten to one hundred; and no ones or twos, and that there might have been some fives.

84,

1467,1468

Consultations and talks about testimony. Carried around G. J. testimony to refresh memory.

84,

1468-1471

Favored trolley anyhow as good thing for city and intended to vote for it; talked very little with people about it.

85,

1471

Testified at First Ford that those I talked to were in favor of it and that I heard very little opposition and that I believed I would have voted for it in all events.

85,

1471,1472

Got four hundred and seventy-five in prize fight and think I heard before hand.

85,

1472

Got money on gas and believe I was told it was to some, very near positive, but cannot recall talk or where.

85,

1472,1473

Don't recall any circumstances of offer in prize fight.

85,

1475

Don't recall incidents of money talk in telephone; understood to get thirty-five hundred but received six thousand.

85,

1474

By committees; details postponed; don't remember E. told me to postpone.

86,

1477,1478

Don't remember U. asking postpone telephone.

86,

1476

Immunity; holding office; testifying; requested to resign, made protest; resigned under threat.

86,

1476-1478

Affidavit in U. -- language same.

86,

1478,1479

#### RE-DIRECT EXAMINATION.

Talks on testimony about trolley with District Attorney's office; read me from my G. J. testimony.

87,

1479-1482

Testified in Third F. D. that U. said good thing, necessity, some consideration and that then went on and mentioned amount, about four thousand dollars.

87,88,

1483,1484

Testified at First F. D. that U. said good thing, necessity and some consideration, and that I thought he mentioned four thousand dollars, and that I told him in favor of it and would vote for it myself.

88,

1484





Conferences with District Attorney, other supervisors present. 88, 1485,1486

Either S. or Keane asked me sign affidavit but did not know purpose. 88, 1486

RECORD-EXAMINATION

Looked upon affidavit as orders from the top but knew it was false. 88, 1487,1487

Other supervisors generally set in execution room of District Attorney's but one night general conversation. 88, 1487

Testified at First P. M. that I could not state exactly when it was I first heard U. S. wanted permit but that I thought it was some time after the earthquake, and, in answer to question I said I believed it was before evidence passed to print, about that time. 88, 1487,1488

RECORD-CROSS EXAMINATION.

Other supervisors present only once when I was at District Attorney's office, about a week ago. 88, 1488

Took such things as that affidavit as orders from A. through S. 88, 1488

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LEADING    ITEMS

In Testimony of

DAVIS

at the CHAMBER TRIAL (p. 36).





- - - P - - -

(First column indicates page of volume entitled "COMPILING THE TESTIMONY OF SUPERVISORS "DAVIS, McGUIRE, LEE IGAN, BAXTON, AT THE "CALHOUN TRIAL, 1436." Second column indicates page of transcript of testimony in Calhoun case.)

- - - P - - -

Convers., don't know with whom, but talk among members ordinance to be presented; can't recall individual but did have talk about money before final passage on May 1st; had one talk with Wilson, Mowry Hall, between passage to print and final, and he said four thousand.

PAGE OF  
DIGEST PAGE OF  
RECORDED.

1, 1490-1492

Two payments from G.; first five or six weeks after final passage, Mowry Hall, two thousand dollars, small denominations, I believe, from two up to twenty; possibly some ones, but not sure; can't say which most: thick package in envelope and G. said for trolley.

1, 1491-1494

Second payment some weeks after first; two thousand; large bills, as near as recollect there were hundred-dollar bills and one five hundred dollar bill; possibly some fifties but not sure; not any less than twenty; Mowry Hall.

1, 1494

Can't remember any talk with G. except to vote for it.

2, 1494

# CROSS-EXAMINATION.

Some talk some thing in it; but direct statement from Wilson that there would be something in it, and they had mentioned various sums. Wilson said four thousand dollars; they had mentioned five thousand, and eight thousand; Wilson did not say he knew that, but that he heard that.

2, 1495

Would not say Wilson came to me direct to say there would be money in it;



I had heard that before he spoke; his statement of four thousand was in this general talk; that was not general; it was personal, only one talk with Wilson about the amount, but I had several talks about trolley.

2,

1497

Testified in first F.T.: "Did not get a direct promise; nobody in authority promised anything; would not even make it as strong as to say that we were told by Wilson something in it; he did not make any promise; in a general talk one day some were saying five thousand and Wilson said he heard they would not pay over four thousand, and that is the only talk with Wilson; but that not a general talk, just between he and me.

2,

1497-1501

Testified at second F.T.: "Have a little recollection of speaking to Wilson; did not appear as though he was authorized; but general covers, and he said he understood four thousand.

2,3,

1501,1502

First payment small bills, judge two dollars to twenty dollars, possibly one dollar bills, but not sure.

3,

1503

Testified before F.T.: "Don't think in either of my payments there were ones or twos. C. AS to one of those payments, or very few twenties? No. No, I cannot remember that; I believe mine were more large denominations." Later recollected first payment smaller denominations and second larger.

3,

1502-1504

In favor of and advocated trolley before the fire and in favor of after fire in any event and would have voted without money; was against the cable and against the underground and in favor of trolley; Denver system a failure.

3,4,

1505,1506

Immunity; trapping; A. reports receiving the money; C. immunity. Speeches after high-wire.

4,

1507,1508

Affidavit in U. vs. Croghan.

4,

1506-1509





People advocated trolley to me,  
and felt it a general demand. 5, 1509,1510

#### RECIPIENT OF THE TROLLEY.

Signing of affidavit. 5, 1510-1512

Recollected small bills in first  
payment after road testimony of others;  
read "Call." 5,6, 1513,1514

Disposition of bills. 6, 1514,

Believed Wilson when said four thou-  
sand. 6, 1514,1515

Investigations and observations  
and information about trolley and other  
systems; did not hear of overhead prop-  
osition until after five except on But-  
ter street, and favored it there; recol-  
lect Geary St. contract for underground. 6,7, 1515-1517

Caucuses on immunity. 7, 1517,1518

Gladstone. 7, 1518

#### RECORDS-EXAMINATION.

Berlin system, Glasgow and Min-  
borough. 7, 1519

Understood overhead trolley pre-  
dominated, in use generally. 7, 1519

Wilson did not intimate that he  
represented anybody as to four thousand  
or five thousand talk and I believed he  
discovered it and was giving the informa-  
tion as one member would to another. 7, 1520,1521

#### FURTHER REFINED EXAMINATION.

My information about systems of  
underground and overhead only general;  
Budapesth. 7,8, 1521,1522

Spreckels and Thelan corporation  
and their proposition. 8, 1523,1523 1/2

Did not read about articles of in-  
corporation on warning of earthquakes. 8, 1523

Examiner opposed after passage to  
print until final passage as to entire  
term, on Butter and Market. 8, 1524



FURTHER INFO 888-27-11 WITH.

Chicago system.

8,9,

1525,1526

Had heard talk of Sprockels super-  
imposing system.

9,

1526

- - - - -





READING TYPE

In Testimony of

COL. A.

At the Calhoun Trial (#1436).

- - - -



(first column indicates page of volume entitled  
"COMPLETE TESTIMONY OF SUPERVISOR NICHOLAS, COL-  
MAN, PHILLIPS, KELLY, AT THE CALHOUN TRIAL."  
Second column indicates page of transcript of  
testimony in Calhoun trial.)

|  | PAGE OF<br>TRANSCRIPT. | PAGE OF<br>VOLUME. |
|--|------------------------|--------------------|
| Prior to vote on passage to print had talk with G.; recall only one; prior to it coming up in Board for passage, judge several days prior to introduction in Board. Best of recollection after carrying one and think in Board rooms; substance G. asked how stood and I said in favor and he then mentioned to me probably be four or five thousand dollars on it; then he called to telephone or aside and I made no response. | 42,                    | 1269-1272          |
| End of July G. paid me two thousand dollars, cannot fix place, U.S. currency, cannot tell denominations.   | 42,                    | 1272, 1273         |
| About Aug. 15th or 20th G. gave me second two thousand dollars, currency, cannot state denominations.  | 42,                    | 1273, 1274         |
| One payment large denominations, other small; by small I mean ones, twos, fives, tens and twenties; in the one in which bills were large major portion one-hundred-dollar bills; think some fifties; don't know which payment first or second and can't fix time of either payment; one was in board rooms, other outside Tuxedo.  | 42,                    | 1274, 1275         |
| Car-barn luncheon.   | 42,                    | 1275, 1276         |
| Trip with K. to car-barn and introduced to Calhoun by Bullally.  | 43,                    | 1276-1278          |
| Talk with Bullally about ordinance before passage to print I think; he said hoped I would do what could; think he opened conversation but not sure.  | 43,                    | 1278-1281          |
| Believe Bullally spoke to me before matter came up in Board.   | 44,                    | 1281, 1282         |
| Understanding among members Company wanted to operate on all lines possible with electricity; think had such talk with G., but that not talk in which he said four thousand dollars, about time of passage to print; when I said only one talk with G. prior to passage to print I meant as to there being four thousand or five thousand dollars in the matter; believe we had  |                        |                    |





another talk prior to passage to print and after the four thousand dollars talk; details of talk with C. and with G. allyally. 44,

1282-1284

To talk with Lemnitz; think papers against it at time of passage; think papers reported Lemnitz for temporary permit. 44,

1285, 1286

Don't know when first heard matter going before Board on May 14th and don't know if knew before then. 44,

1286

#### CROSS-EXAMINATION.

Memories before and after trial; several meetings at Wilson's home. Trolley may have come up at one of these meetings but no distinct recollection; would not say did not come up on May 6th. 45,

1287-1288

Further causes on all important matters. 45,

1289

Testified at First I.T. that the chances are there was a caucust on trolley on the Sunday night prior, as that was the custom; and would answer same now. 45,

1289-1294

When C. asked what he said first was trolley about to come up and how did I stand and I said in favor and then he made mention of fact four thousand dollars or five thousand dollars in it; I told him I stood in favor of it before he mentioned any money and that correctly stated my mind. 45, 46,

1295

From time as I in favor regardless of money considerations as urgent necessity and Company kind to afflicted people; expressed myself so publicly and people urged me. 46,

1296, 1296

Detachment over first handling of cars. 46,

1297, 1297

My reason for action on May 14th was I had my mind made up for the reasons given. I would have voted without money and money did not influence my vote. 46,

1298

Repeats same version of talk with C. as four or five thousand dollars. 46,

1302

On refreshing memory in Third Ford trial, I as I told C. at that time that many constituents had come and observed the franchise to me. 47, 1299-1306

For told in advance of as in prize fight; got four hundred and seventy-five dollars. 47,

1306



Parasite; Luncheon; on trip out Wilson said that a matter of that magnitude should give each supervisor some money or a lot or two; that eight or ten days after we took office. 47, 1306-1308

I favored Parasite anyhow; after luncheon C. told us of money in it but we'd know it after application he told me hold it up, etc. 47, 1308, 1309

Always understood and looked upon C. as leader of board. 48, 1319

Can't recall any talk with C. before indictment about money matters; think first talk was when prize fight paid but don't think he said then anything about acting for me; did understand that C. would represent us all members in financial matters; as I looked on him as leader. Since rising by H.T. testimony I saw that C. did tell me to hold matter up until he could find out how much. Some delay in the matter and I understood it was to allow C. to find out how much. 48, 1320-1321

Came there Jan. or Feb., 1906, and no money. 48, 1321

No previous knowledge of money in prize fight. 48, 1322, 1327

First heard first of money in gas on day of passage but cannot say before or after it finally paid. 48, 1327

Think I heard of money in gas from rumors and not from any one directly. 48, 1327

Got five thousand from Halvey and later thirty-five hundred in the bank; did not give back the five thousand and voted against it because majority did. 48, 1327-1329

About Feb. 1906, employed by P.E.T.Co. at monthly salary, prior to receiving the five thousand; it was to keep them informed and furnish data. 48, 1329, 1330

Received the five thousand from Halvey in January and for thirty-five hundred from C. in March. 48, 1330

I was looking for Parasite money through C. latter part of 1906 about November. 48, 1330, 1331

First heard of amount in stock through C. at meeting. 48, 1331

Best of recollection no information on gas until day of passage. Did testify at C. trial. that prior to receiving gas money I did not know else.





to be paid on gas, but that after passage of ordinance rumors; but when I gave that testimony I must have been misled because I think now I did know before I got the money.

49,50

1335-1335

Conferences on immunity.

50

1336,1337

Keeping of money was discussed and I think C. said to us that we could keep it.

50,

1338

H. said we would hold our positions and that the prosecution would help us retrieve.

50,

1339

Resigned in July, 1937, but waited until got contract in writing; circumstances.

51,

1339

Validity of immunity was discussed.

51,

1339,1340

District Attorney's office judges of truth.

51,

1340-1342

It was my original idea back in Jan. that there should be money in the various franchises.

51,

1342.

#### WILSON EXAMINATION.

Relations with H.

51,

1343,1349.

Cannot recall ever talked with H. about money matters; think all my money talks were with C.

52,

1349

Had talk with H. about money in Parkside and think it in Dec. 1936, after finally passed second time; I then told him members anxious for payment of five thousand dollars and he said agitation on; H. then under indictment; talked with H. about that time on money in Parkside.

52,

1349-1351

Parkside raised from seven hundred and fifty to a thousand dollars and C. told me.

52,

1352

Promise in Parkside may have made me feel a little better and I guess so in trolley, too; but I was in favor of opening up that tract of land.

52,

1352,1353.

Debate on telephone; delayed my vote till saw result. Baxter voted for F.E. and Coffey for Home; majority for Home, only four or five against Home; Baxter, Walsh, Lee and Henderson voted against Home.

52,

1353,1354

Talk with C. when paid five thousand.

52,53,

1354,1355

Talk with H. on telephone latter and five thousand from Walcott.

53,

1355,1356



|  | PAGE OF<br>INDEX. | PAGE OF<br>RECALL. |
|--|-------------------|--------------------|
| Telephone salary talk with Halsey but received only one month, and no voucher.   | 53,               | 1357               |
| Think C. told us thirty-five hundred dollars in name before vote at caucus.  | 53,               | 1357               |
| State of mind on telephone proposition and influences that affected vote.  | 53,               | 1358, 1359         |
| Understood monthly salary to run straight ahead.   | 54,               | 1359               |
| Committees of which a member.  | 54,               | 1359               |
| Three could fire ordinance and money to be paid in kind.   | 54,               | 1359, 1362         |
| R. the big leader and C. next; understood C's offers and payments were from R.   | 54,               | 1362-1364          |
| In agreement to hold up prize fight; never knew a five cent piece in it until money paid.  | 54,               | 1364               |
| Understood we would wait on matters to hear from C. and if he said nothing doing then went through; I never personally consulted to hold up anything; but C. told us to aside to be held back until could see what doing and that R. employed; and I followed C.                       | 54,               | 1364, 1365         |
| Proposed ownership plans.  | 55,               | 1365               |
| Consult system for Coney street; contract price, etc.  | 55,               | 1365, 1367         |
| To great insurance risk from trolley.  | 55,               | 1369               |
| Ordinance putting wires underground; and dangers.  | 55, 56            | 1372, 1373         |
| Even if not told of four or five thousand dollars in it my opinion would have been just the same on the trolley.   | 55,               | 1373, 1374         |
| Up to the time of the fire I wanted conduits on Market street and on trolley.  | 55,               | 1374               |
| During Sunday night caucuses continued after the fire. I took about minutes three leave away; caucuses planned after fire; all matters of importance were talked over in caucus, and it could have happened before my application was filed or before the matter got before the board. | 55, 56            | 1373-1374          |
| Have no recollection one way or another as   |                   |                    |





to a circus on trolley; feel fairly sure that trolley came up in circus before May 14th; feel safe in saying trolley taken up in a circus at Wilson's house; think A. mentioned it there. I had some/area talks with C. on trolley before May 14th; did not discuss term before May 14th.

37, 1374-1377

Dates and routes of early runs after fire.

38, 1377, 1378

General notice of condition of city-buses after fire and extent of damage thereto.

38, 1376, 1379

Application before preceding Board still pending without action and came over to DS.

38, 1381, 1381

Understood trolley council declared against the term between passage to print and final passage.

38, 1381, 1382

Signed letter favoring underground system for Market street before application, 58,

1382

Understood opposition to underground system was letter and Market street previous to fire.

39, 1382

Considerable sentiment against trolley on Market street previous to fire.

39, 1383

Increased on file papers against trolley at corner and Market.

39, 1383, 1384

Resolutions A. voted against trolley for Market street after Larkin's report.

39, 1384

Interviews after the fire.

39, 1384-1385

No doubt in my mind of money at market after A. told me in trolley.

39, 1385, 1386

DS. Assembly District Improvement Club says as to support trolley.

39, 1387, 1388

Think some members of Club spoke in favor of overhead trolley for Market street, but did not discuss term outside of the members of the board.

39, 1388

Term did not seem to suit any figure in sentiment against or in favor; they wanted transportation; five people talked



|   | PAGE 61<br>LINE 7. | PAGE 61<br>LINE 8. |
|---|--------------------|--------------------|
| As to about the term and I-it was before the application was filed, it being generally understood that the U. S. would ask for a franchise and that we felt so. | 55,                | 1389, 1390         |
| Think I told S. that I was for it from start to finish.   | 56,                | 1390, 1391         |
| Caucus at which committees were named.  | 56,                | 1391, 1392         |
| Concluded S. leader as he took chair when Harry Mosent and he ceased to be the leader selected by S.  | 56,                | 1392-1393          |
| Harry asked G. get money unless he mentioned first.   | 56,                | 1393               |
| S. initiated talk about money in three-cent fare ordinance and told me amount.  | 51,                | 1393, 1394         |
| Talk with S. about three-cent fare money.   | 51,                | 1394, 1395         |
| Caucus on gas and taxes and rumors about money therein; fire loss.  | 51, 52             | 1395-1399          |
| Discussions about Longman being trapped and about skating rink and oil ordinances.  | 52,                | 1399, 1400         |
| S. about our holding our offices.   | 52, 53             | 1400, 1401         |
| Discussions as to retaining the money.  | 53,                | 1401, 1402         |
| How time talk fully was after May 14th, and that that talk was the one in which he asked me to do what I could for ordinance.                                   | 53,                | 1402, 1403         |
| RE-CROSS EXAMINATION.   |                    |                    |
| Underground wires ordinance early part of 1906.   | 53,                | 1403               |
| Clause in trolley ordinance for underground feed wires, ornamental poles and lights.  | 53,                | 1404, 1405         |
| Trolley ordinance simply change of motive power.  | 53,                | 1406               |
| Harry got the money in three-cent fare matter.  | 54,                | 1406, 1407         |
| Loss released from Harry St. contract; think after fire he advocated trolley.   | 54,                | 1407               |





|  | PAGE OF<br>110-111. | PAGE OF<br>110-111. |
|--|---------------------|---------------------|
| Lives of franchisees not lengthened.   | 54,                 | 1408                |
| Great money needed to restore the lines.   | 54,                 | 1409                |
| Gradual resumption of transportation.  | 54,                 | 1409                |
| System demoralized, also cable-roads.  | 54,                 | 1410                |
| Trans. Matter St. permit before the Board prior to fire and in hands of Public Utilities Committee.  | 54,                 | 1410                |
| After fire incident St. Improvement Club rescued trolley and an estate St.   | 54,                 | 1412                |
| Report's report before 'Cordwain's' Ass'n. and board of directors unanimously recommended trolley as against conduit.  | 54,                 | 1412, 1414          |
| Testified in First St. case that L. would hold back telephone until could find out how much.   | 54, 55              | 1414, 1416          |
| Testified in First St. case that he postponed purchase several times for G. to find out if anything coming and how much.   | 55,                 | 1415, 1416          |
| Circumstances of signing affidavit in Langston-St. case.   | 55, 56,             | 1417, 1421          |
| DIRECT EXAMINATION.  |                     |                     |
| Underground wires ordinance to go into effect gradually.   | 55,                 | 1422                |
| Electrification.   | 55,                 | 1422, 1423          |
| Loss seeks to get back deposit.  | 55,                 | 1423, 1427          |
| From five to eight millions to install trolley.  | 55,                 | 1427, 1428          |
| Harriet and Butler St. franchisees long.   | 55,                 | 1429                |
| Number of people against trolley on Harriet St. and Butler would be against those who wanted it every where regardless of cost.  | 55, 57,             | 1436                |
| After G. told he never handed and fifty in Parkside he did not ask me to hold it up, that ended it; but application filed on Jan. 5, and another until March; and I thought L. negotiating for money and felt delays were for G. to find out how much. | 57,                 | 1436                |



The tel. matter delayed in committed.

67,

1436-1438

Reene.

67,

1438,1439

RECORDS REVISION.

It was Bexton who requested postponement of tel. matter.

67,

1439

Testified in first H.T. that B. had tel. matter held back till he could find out; and we suggested to him that he should be that.

68,

1440-1442

Lengthy explanation of tel. situation and why held back and the part Bexton played therein.

68,69

1442-1444

RE-EX-DIRECT EXAMINATION.

After five or six that if trolley case for should be postponed until found out how much; no talk of postponement.

69

1445





LEADING ITEMS

In Testimony of

BOSTON

at CALHOUN TRIAL #1436.



LEADING ITEMS in testimony of BOYLE, at the Calhoun Trial #1436.

(First column indicates pages of volume entitled "COMPLETENESS TESTIMONY OF SUPERVISOR DAVIS, McGUSHIN, H. H. IRAN, BOYLE, AT THE CALHOUN TRIAL #1436"; second column indicates page of transcript of testimony in Calhoun case.)

|  | PAGE OF<br>DISCUST | PAGE OF<br>RECORD |
|--|--------------------|-------------------|
| Supervisor and soldier.  | 23                 | 1711-1713         |
| Got four thousand dollars from G.<br>on trolley in two payments; think first<br>in August in buggy, large envelope; small<br>bills, ranged from one to twenty, and<br>quite old; said nothing.   | 23                 | 1713-1716         |
| Second payment latter part August<br>on street; fifty and one hundred dollar<br>bills.   | 23                 | 1716              |
| Before vote heard nothing direct<br>about money on trolley; only rumors and<br>sums varied, ten, eight, five, four. No<br>particular figure mentioned, general dis-<br>cussion; people around hall knew it.  | 23                 | 1716-1718         |
| CROSS EXAMINATION.   |                    |                   |
| Was mayor.   | 23                 | 1725, 1726        |
| My committees.   | 23                 | 1726              |
| Parkside referred to public utilities<br>and it was there some time.   | 23                 | 1726, 1727        |
| No direct offer or promise in trol-<br>ley. General rumor from ten thousand to<br>four thousand.   | 24                 | 1727              |
| Expected and still expect in Park-<br>side and said so at R. preliminary.  | 24                 | 1727, 1728        |
| Had expectations in trolley.   | 24                 | 1728              |
| Expectations in Parkside founded on<br>rumors, etc., and also in trolley.  | 24                 | 1729              |
| Expectations in Parkside founded on<br>fact that M. had received a fee, and we<br>felt entitled, and discussions to that<br>effect.  | 24                 | 1727-1730         |
| Gathered that money in trolley from<br>atmospheric conditions.   | 24                 | 1730              |
| Parkside unreported long time; G. re-<br>quested hold it as not satisfactory; never<br>subsequently reported it nor told to; put<br>into other committee in new board; still in<br>committee when we resigned; did not under-<br>stand delay on financial grounds.                 | 24                 | 1731-1734         |
| G. chairman finance committee; not re-<br>garded as leader by me. Did testify on<br>August 25th, 1908: "G. was leader and dictat-<br>ed policy and when money was coming I looked<br>to G." G. said what to pass and what not, and<br>that went and he represented administration. | 24                 | 1734, 1735        |
| I strongly favored trolley and people<br>wanted it.  | 25                 | 1735              |
| Testified on August 4th: "If I had been<br>running it (trolley) myself it would have been  |                    |                   |





|  |       |           |
|--|-------|-----------|
| worth a whole lot."  | 23    | 1736,1735 |
| Got five hundred dollars in prize<br>fight in January, and seven hundred<br>and fifty in gas in February, but did<br>not know specific amount to be paid in<br>gas.  | 25    | 1736,1737 |
| Got five thousand from Halsey after<br>ordinance passed; received none from<br>Halsey.   | 25    | 1737,1738 |
| Skating rink ordinance and oil or-<br>dinance; they gave me five hundred dol-<br>lars; meetings at his house; trapped;<br>conference with Burns; G. told me trap-<br>ped; meeting with Longdon, Burns, Roney<br>and Spreckels, etc.  | 26    | 1738-1742 |
| Statement at Radke's.  | 26    | 1744      |
| Talks with G. before going to Radke's;<br>G. told me "make the best of it;" Roy's<br>house.  | 26,27 | 1744-1747 |
| Saw my Radke statement in Spreckels<br>possession; G. told me to go ahead and<br>make a statement; was told Prosecution<br>had seven; understood Lonergan and Walsh.   | 27    | 1747-1749 |
| Did not go near Presidio nor meet<br>there; while at Radke's house did not<br>see G. near Presidio; saw him about a<br>block from Radke's near end of Cal. St.;<br>did not tell me he had seen Spreckels,<br>nothing except everything all right, to<br>go ahead and make statement and I then<br>did in about fifteen minutes.                                | 27,28 | 1749,1750 |
| Everything signed up there; left with<br>Spreckels.  | 28    | 1750,1751 |
| Have special contract, never saw gener-<br>al.   | 28    | 1751      |
| Think G. asked me before vote how felt<br>on trolley and I said no objection. Did<br>testify on August 4th: "G. spoke to me con-<br>cerning trolley quite often; in first talk<br>after fire said would come up and I said a<br>good idea and cars should run." He spoke to<br>me quite often about it but never mentioned<br>money and I have always said so. | 28    | 1751-1753 |
| Don't think G. ever told me money in<br>Parkside; I never voted on it.   | 28,29 | 1754      |
| Think G. said Parkside franchise not in<br>form to be presented and would have to make<br>changes; might have said also "wait till I<br>get ready."  | 29    | 1755      |
| Testified in Parkside case that G. said<br>to wait until he got it ready or until he<br>got ready.   | 29    | 1764      |
| Was mayor from July 9th to 16th.   | 29    | 1765      |
| Signed and swore to affidavit.   | 29    | 1766      |
| Got immunity at Radke's.   | 29    | 1766,1767 |
| Burns' request to make false affidavit.  | 29    | 1767,1768 |



REARREST EXAMINATION.

|  |       |           |
|--|-------|-----------|
| Talks about testimony.   | 29    | 1769,1770 |
| Circumstances with Owens.  | 30    | 1770,1771 |
| Hadke statement refreshed memory on ques-<br>tion of offer of trolley money.   | 30    | 1771.     |
| Identifies Hadke statement.  | 30    | 1837      |
| Understood prior to passage to print   |       |           |
| four thousand dollars; rumor, general under-<br>standing among members. Cannot say positive-<br>ly if A. spoke now Wilson, cannot say who,<br>if anyone. I might have spoken to W. or C.<br>that day about it.                   | 30    | 1838      |
| Circumstances of Hadke statement.  | 30    | 1839      |
| Times of examinations; never owed nomina-<br>tion to A.  | 30    | 1839      |
| Caucus at which cowards selected; I<br>complained and put on public stiltation.  | 30    | 1839-1842 |
| Voted against Home at caucus, and so did<br>Sunderson, Lee, Walsh and McGushin; Home tried<br>before previous board, and Lee, Sundergon and<br>I took same position; I voted against on pas-<br>sage to print and final passage. | 31    | 1842,1845 |
| Understood day before passage to print<br>fourteen agreed vote with Halsey and five<br>against.  | 31    | 1843-1845 |
| Lewlugh comical at preliminary when I<br>said had expectations.  | 31    | 1845,1846 |
| Home had fee of fifteen thousand dol-<br>lars on Parkside; sometimes considerable legal<br>work; also understood A. got fee in prizefight.   | 31,32 | 1846,1847 |
| Twelve hundred dollars prizefight license<br>per individual in 1906, but don't know about<br>1906.   | 32    | 1847,1848 |
| Rumors about trolley for sometimes, and<br>even in 1905 I heard of application for Sutter<br>street.   | 32    | 1849,1850 |
| Circumstances of payment of skating rink<br>money at Roy's house.  | 32,33 | 1851-1853 |
| Meeting with G. at stable after leaving<br>Roy's house, and conversation.  | 33    | 1851,1854 |
| On second visit to Roy's, Roy and Burns<br>told all, but I left hearing it.  | 33    | 1854-1856 |
| Talk with Burns, Roney, Syreckels and<br>Lengden that evening.   | 33    | 1857      |
| Burns told me of my movements after leav-<br>ing Roy's house and of how they observed in<br>Roy's house.   | 33,34 | 1857,1858 |
| They told me seven had made statements,<br>probably all supervisors, and told me how<br>much was paid in the different matters, and<br>that convinced me.  | 34    | 1858      |
| Burns told me to deny occurrences, and<br>even make affidavit, I supposed to report-<br>ers.   | 34    | 1859      |
| Prior to going to Roy's house the night I<br>saw Burns and after that heard from Burners<br>took money in skating rink   | 34    | 1859,1860 |
| Promised Burns I would not talk to any-<br>body and Burns told me to make affidavit, but<br>I did not understand in court.   | 34    | 1860      |





|   |       |           |
|---|-------|-----------|
| How I came to go to Radke's.  | 34,35 | 1860,1861 |
| My talk with G. on street near Radke's house was just that I asked him if all right, and he said "Yes, go ahead and make statement".  | 35    | 1861,1862 |
| Persons present at Radke's.   | 35    | 1861,1862 |
| Talk with G. in icecream parlor.  | 35    | 1862      |
| Circumstances of becoming mayor.  | 35    | 1862-1862 |
| Circumstances of signing affidavit.   | 35    | 1866      |
| ENCLOSURE EXAMINATION.  |       |           |
| Newburgh comical, but do not offer that as explanation for that testimony.  | 36    | 1867,1868 |
| Circumstances of first and second trip to Roy's house, and talks there.   | 36    | 1868-1871 |
| I thought I would not be asked about five hundred dollars from Roy, but they did not tell me so; made no statement at Roy's.  | 36    | 1869-1871 |
| I testified at Glass trial: "I was told to deny it and even make an affidavit against it; Burns told me to deny it and to deny it under oath; I told Heney, and Heney said 'I never told you that.'"  | 36    | 1871-1872 |
| Testified at Glass trial: "Burns told me to make affidavit that not true; wanted to keep it from the newspapers; to protect Roy, I suppose; think it on some night I left there; Roy was carrying out their policy and it was proper to protect Roy." | 37    | 1873      |
| I testified at Glass trial: "Heney told me sometimes afterwards to certainly tell the truth, but I told him that I did not know whether I should or not, as Burns told me to deny it and even to make an affidavit."                                  | 37    | 1873,1874 |
| Probably signed more than one statement at Radke's.   | 37    | 1874,1875 |
| I did state at Radke's: "I don't know that G. said, but some one of the members told me, I cannot recall the particular one, but it was understood they were going to get four thousand dollars apiece."  | 37    | 1876      |
| Testified at first Ford: "I never heard any of them say what they were going to get and nobody told what I was to get." I cannot reconcile that third Ford trial testimony with my Radke statement, it seems irreconcilable.                          | 37    | 1876,1877 |
| At Radke's I said: "It might have been so that they said it was to be eight thousand, but I never heard it."  | 37    | 1877      |
| I testified at second Ford: "No one spoke to me about the trolley before passage to print."   | 37    | 1878      |
| Testified at first Ford: "Heney had not been mentioned to me before vote."  | 38    | 1878      |
| Radke statement given under immunity and Roy did tell me if I did not come through I would be prosecuted, etc.  | 38    | 1880      |
| Did not like to mention Halsey's name in Radke statement, but did it to tell the truth.   | 38    | 1880,1881 |



I did testify in Radke statement that I mentioned Bailey because I had not been treated fairly, etc., and that for the work I was doing there I was to receive ten thousand dollars; but I want to correct that as he never promised me anything, but said he would look out for my interests; I understood the others were getting that, and I expected to get what they got.

39,39 1881-1885

In answer to your question if I ever made an offer to me in any matter about money I say I do not remember him ever making me a direct offer of money; he may have mentioned it, but he did not mention it directly to me.

39 1883

I testified at preliminary: "I never made any offer to me in any matter of money, but I received money from him in various matters;" I still say so positively.

39 1884

As general understanding before induction how matters to be conducted; but was that majority should rule; not that I should declare policy; not true that I voted as dictated or advised by I.

39 1884

No general understanding or agreement as to method in finances; I knew they would not dare overlook me.

39 1885

Testified at Radke's: "No talk with G. in reference to the matter at time of prize-fight, nor preceding that. It was a general understanding; a caucus held and agreement that majority should carry minority. He had a boss and he supposed to look out for our interests, Mr. A. No understanding then as to who A. to do business through; it first came to my attention at time of prize-fight; never talked with A. on any proposition. G. chairman finance committee, and very active, and all members looked to him."

39,40 1885,1886

Persons present at Roy's whom I did not know.

40 1886,1887

At Roy's house Burns read data from memorandum book, etc., and told me amounts, etc.; I think he told me how much I got or claimed to have in trolley. I did say at Radke's not sure whether seven hundred or seven hundred fifty in gas; Burns told me he was in back room when I got money at Roy's and also a stenographer, but don't think he mentioned Spreckels, Money, or Langdon as being there.

40 1889

#### FURTHER EVIDENCE RE: ADMINISTRATION.

Introduced to Oelkum at carbarn; carbarn luncheon; nothing said.

40 1890,1891

Radke statement on trolley.

40,41 1891-1893

Testified at third Ford. When I said no one talked to me directly about trolley I meant it was talked of generally by all of the members, and include drawing





the headquarters could hear it, it was in the air and the talk was that it was altogether likely that an application would be made, but there was nothing in that talk about money, but we know it was coming through A.; no talk to me about money there; I never heard any of them say what they were going to get, and nobody told me what I would get; when I said that I know it was coming through A. I meant that all propositions of great importance were generally approved by him.

41

1894,1895

When I said at A. preliminary that A. never made an offer to me in any matter, I meant that I don't remember of any person ever making a direct offer; by "offer" I do mean if G. came to me and asked me if I would vote in favor of a proposition that he would pay me a certain amount of money for doing so; but not if he simply said "There is going to be four thousand dollars in this trolley matter". I meant that G. never at any time mentioned money to me before the vote came up on it, but I won't swear positively he did not talk of it in my presence.

41,42

1895-1898

Understood money in gas before vote, and had a pretty good idea how much; seven hundred fifty dollars; sort of a rumor among the different members, eighteen of them all talking about the gas rates same as everything else, and some of them probably mentioned a certain amount in it; my understanding as to amount and the rate was that they came from G. and from the administration.

42

1898-1900

When I said that would not dare to over look me I meant that they were not looking for trouble or opposition.

42

1901

I had no understanding as to how financial matters would be done in the board, I just took what Gallagher gave me.

42

1902

Burns' mention of various amounts did not govern me when I testified at Redke's.

42

1902,1903

#### FURTHER RE-CROSS EXAMINATION.

I assumed the information I got as to the money in gas came from G., but I did not get any direct information from G. I cannot swear that G. ever discussed money with me at all, but he might have mentioned it in some talk.

43

1903

Testified at K. prelim. that G. never discussed money with me and never made any offer in any case, and I say that is true now.

43

1903,1904

Carbarn luncheon large crowd.

43

1904



EXHIBIT ITEMS

In Testimony of

NICHOLS,

At CALCOUN Trial.





LEADING ISSUES in Testimony of ALBERT G. at the CALHOUN Trial.

(First Column indicates page of volume entitled  
"FORMERLY'S TESTIMONY OF ALBERT G. NICHOLAS, COLLE-  
GE, WILMINGTON, DELAWARE, AT THE CALHOUN TRIAL;"  
Second Column indicates page of transcript of  
testimony in Calhoun Trial.)

|  | PAGE OF<br>DIGEST | PAGE OF<br>RECORD |
|--|-------------------|-------------------|
| Don't remember month trolley came up.  | 2                 | 82,83             |
| G. first told four thousand in trolley<br>and circumstances; think on Saturday pre-<br>vious matter coming up in court; ain't sure<br>if G. said coming up next Monday or next<br>meeting. | 2                 | 82,84             |
| Ain't sure what relative date made<br>offer.   | 2,                | 84,85             |
| First payment six or seven weeks after<br>purchase; Mowry Hall, said nothing; twenties,<br>tens, and think three ones and one two and<br>one five; some new and some old.                  | 2,                | 87,88             |
| Second payment six weeks or two months<br>after first; Mowry Hall; nothing said, hun-<br>dreds and fifties.  | 3,                | 89,89             |
| Put both payments in U.S.S. deposit box;<br>paid lumber bills, etc.  | 3,                | 89                |
| CROSS EXAMINATION.   |                   |                   |
| Heard Henry yesterday explain "offer",<br>and comprehend.  | 3,                | 90,91             |
| G. said at Mowry Hall trolley coming<br>up early day, and four thousand; cannot<br>recollect any other talk with G. on sub-<br>ject.   | 3,                | 90                |
| Did testify at Third F. T.: "Talk did<br>not last a minute and only one talk with<br>G. until payment." Think so now.  | 3,                | 11-12             |
| Recollect only one talk.   | 3,                | 101               |
| G. said trolley would come up and<br>four thousand.  | 4,                | 101               |
| Testimony at Glass trial that G.<br>did not tell, rumor, and no way frame<br>mind.   | 4,                | 101-103           |
| Am positive now G. said four thoug-<br>and; that Glass testimony is the way it   |                   |                   |



|  |       |         |
|--|-------|---------|
| appeared to me then and I gave it my best consideration then.  | 4,    | 104     |
| Community talk with G.   | 5,    | 107-109 |
| Affidavit in R.- Langdon case.   | 6,    | 111-123 |
| Signed affidavit and swore falsely to prevent myself being prosecuted.   | 6,    | 124     |
| At Glass trial did not recall incident of meeting G.   | 7,    | 130     |
| Think but one talk with G. and think that on Saturday previous to Monday that matter came up.  | 8,    | 132     |
| Testimony at R. Prelim.: "G. spoke to me before fire" about trolley, I think; can't recollect what said; might have been around earthquake he spoke to me again but can't say what said nor have recollection; said four thousand dollars in it. Might have said 'railroad wants a trolley, ought to be a great deal of money in it;' can't say had more than one talk, think did not. Never spoke much to G., best recollection but "one talk." | 8,    | 134,135 |
| When said at R. Prelim. talked with G. before fire might have misunderstood question.  | 9,    | 135,136 |
| Mistaken about talk before fire.   | 9,    | 138,140 |
| Recollection feeble.   | 9,    | 140,141 |
| Testified at R. Prelim. that I told R. I was in favor of overhead trolley, and that would be the truth.  | 9,    | 143,144 |
| In favor of trolley for long time even before took office; talked to many people.  | 9,10, | 144,145 |
| Would have voted irrespective of money.  | 10,   | 145     |
| "Redhot poker."  | 10,   | 145,146 |
| Would have voted for trolley in any event without money.   | 10,   | 147     |
| I did not understand an agreement in franchise matters unless money, shelved as no action or negative action.  | 10,   | 148,149 |
| Testimony at R. Prelim. that general understanding unless money, would be shelved or no action or negative action and that A. handled whole thing;   |       |         |





|  |        |         |
|--|--------|---------|
| but say now no understanding but impression.   | 10,    | 146,152 |
| Salt Lake and other places.  | 10,    | 152     |
| When said shelved or beaten or die in committee unless money, I meant I would have voted for it if left to conscience; thing all framed up. Conscience dictated trolley to me.   | 11,    | 113,154 |
| Don't think will be prosecuted for any offense if I tell what Prosecution believes is truth.   | 11,    |         |
| "Impression" means a little doubtful.  | 11,    | 154,155 |
| Testimony at Third P. I. that not positive but impression G. told four thousand dollars.   | 11,    | 156,157 |
| As to why did not remember in Glass case, say things come back sitting around court room and hearing testimony or suggestions or what other people say; sometimes hear things so often you think you said them yourself.                                   | 11,12  | 157,158 |
| Don't recollect G. said ought to be a great deal of money in it, but might have; might have said "There is quite a number of "matters coming up and there will be quite a "bit of money in it."  | 12,    | 158,159 |
| That was true where I told of impression or understanding that G. handling all money matters in board.   | 12,    | 159     |
| Furniture indictment and status of same.   | 12,    | 159-163 |
| Talks with G. about immunity; thought in writing.  | 12,13, | 160-163 |
| G. said hold offices.  | 13,    | 164     |
| After immunity I believe we were to vote as told. (MR. HENNEY: According to that class of testimony the Prosecution might be made out greater criminals than these people.) G. told me to remain in office and vote as told and that kept up till we left. | 13,    | 164-166 |
| Don't think G. said that Spreckels said would advise the board how to vote, but think did say Spreckels wanted us to stay and redeem ourselves.  | 13,    | 166,167 |
| At Gladstone were Langdon, Burns, Spreckels, Henney and Owens.   | 13,    | 167,168 |



|   |       |         |
|---|-------|---------|
| Talked to Harrocks at 'Active Sons' building about immunity as understood he had handling of it.  | 13,   | 168,169 |
| Testimony at A. rel. M. that told G. in favor of overhead trolley, and though did not agree to take the money did take it and did not object to offer "if he made an offer, I don't think that he made a direct offer." | 14,   | 170     |
| Many advocated it to me as public necessity and I so considered it.   | 14,   | 170,172 |
| State of mind after fire vote for it without money.   | 14,   | 172     |
| No money on Ocean Store nor promised, Mayor requested.  | 14,   | 173,174 |
| Think I did understand before prize fight to be money and maybe A., but not positive.   | 14,   | 174     |
| Five thousand dollars from Halsey; after that thirty-five hundred from G. on home; don't know if G. told me home before Halsey paid me but think took Halsey's money after G. told me home.                             | 14,   | 174     |
| Got five hundred or seven hundred and fifty in Feb. in gas, think seven hundred and fifty.  | 14    | 175     |
| Got none in Parkside but believe offered before vote, but would vote for it without money as good for city and had a friend interested.   | 14,15 | 175,176 |
| G. on immunity at caucuses.   | 15,   | 177,178 |
| Official of Carpenters' Union; eighty thousand dollars to strikers.   | 15,   | 179,180 |
| First payment twenties and tens and think one five, one two and three ones; recollection not extra good.  | 15,   | 180     |
| Testified F. T. fives and tens and impression five ones but not positive and that did not remember any twos; but think now there was a two but not sure.  | 15,   | 180-182 |
| Second payment fifties and hundreds; my testimony conflicts but think now some fifties.   | 15,   | 182,183 |
| First F. T. said one-hundred-dollar bills second payment.   | 15,   | 183     |





Second F. T. testified one-hundred-dollar bills; but think now fifties and hundreds; don't think any other denominations. 18,16 184,188

Testified at Third F. T. that there may have been half fifties and half hundreds in second payment, and admitted that previously testified one-hundred-dollar bills; and said, "that is all. The impression strikes me that there were some fifty-dollar bills in it and I could be wrong in that. I say now large bills and impression some fifties. 18, 188

Nicholas attempts to account for bribery monies. 16, 186-191

Caucuses. 16, 191

Am not sure of caucus on trolley but maybe; have a kind of recollection it was brought up in Wilson's on Golden Gate avenue and possibly I expressed myself in favor of it there; think Keane said at one caucus that trolley would come up; places where caucused after fire. 16,17, 191-194

Think heard other sum than four thousand dollars in rumor. 17, 194,195

Can't say any closer than July or June for first payment on trolley. A couple of months after first payment till second payment; second payment Mowry's Hall but would not be sure; think both payments Mowry Hall but positive of one. 17, 195-197

Recollection not very good on place or conversation. 17, 198

Details of Gladstone statement. 17,18 199-204

No one told me what to testify to at Gladstone; but might have known from paper or something what the others had testified to. 18, 199-204

Only surmised what others testified to at Grand Jury. Some of the members may have told me what happened there but no one told me what to testify to. 18, 206-210

Cost of living, etc. 18, 213-216

By "large bills" I mean fifty and one-hundred-dollar bills. 19, 216



|   |              |                    |
|---|--------------|--------------------|
| No special part in helping strikers; no one of Craft Prosecution talked to me on strike.  | 18,          | 216,217            |
| Not positive if G. told me thirty-five hundred dollars in Rome before I got five thousand from Malsey, but think so.  | 19,          | 217                |
| Circumstances of five thousand dollars from Malsey; think reported to A. various payments in Rome.  | 19,          | 218-221            |
| Circumstances of signing affidavit in A.-Langdon case.  | 19,<br>20,21 | 221-224<br>228-243 |
| Dates of various trials stipulated.   | 21,          | 246,247            |
| Conducted before and after fire, and before induction.  | 21,22,       | 248-254            |
| Don't think any intimation to me matters coming, etc.   | 22,          | 254-256            |
| Not sure if heard of prize fight money before came up, but my opinion so.   | 22,          | 255,256            |
| Impression about important matters being shelved, etc., and G. handling money, I got from the way matters going on in board, and maybe right after prize fight matter. No delay or hold up in prize fight, it would have been G. spoke to me about his handling money matters in board; A. never spoke to me personally, never gave me any money personally; understood A. acting for H. and I never suggested to G. hold up. | 22,23,       | 256-262            |
| Gas rates in 1906 and 7 and dissatisfaction.  | 23,24,       | 262-268            |
| Money from G. on gas after vote in 1906.  | 24,          | 268                |
| I think I knew money in advance on gas. Company made fair argument.   | 24,          | 268,269            |
| Fixing of gas rates in 1907.  | 24,          | 269                |
| Heard Coffey testify in First F. T.   | 25,          | 270                |
| Talks with O'Gara on testimony.   | 25,          | 289,290            |
| Immunity contract introduced.   | 25,          | 290-294            |
| G. reports on immunity: "I think he told us to testify to certain questions asked, that we would have to tell this or that;" but did not tell what questions; we talked to A. about the affidavit.  | 25,          | 295-297            |





|   |        |         |
|---|--------|---------|
| Did testify at G. Prelim. What E. told me four thousand.  | 24,26, | 297,298 |
| Testified at Third J.C. that had no talk with E. before that time to my recollection.   | 26,    | 297,300 |
| Witness for Deywing overhead trolley.   | 26,    | 300-302 |
| Heavy street road.  | 26,    | 302     |
| Salt Lake.  | 26,    | 304     |
| Had not decided prior to fire over-head preferable to underground.  | 26,    | 304     |
| Don't remember any talk before board before fire as to either sub or street lines.  | 26,    | 308     |
| At Glens trial forget incident of meeting E. and friend.  | 27,    | 312     |
| How conscience affected by money; most of them would have gone through without money and many did.  | 27,    | 312,314 |
| Testified at E. Prelim.: "Don't recollect how long prior to vote G. spoke to me about it and cannot say approximately; as to question was it a month or two months I say might have been right after earthquake, and in that first talk he told me four thousand, etc. I told him in favor of it. Don't know if consented to accept money but did not object to offer if he made an offer, don't think he made a direct offer, nothing more than "four thousand in it." | 27,28, | 312,314 |
| Testimony of Nicholas at Glensstone as to trolley proved by Miss Condon-- heard something doing in board and waited and G. came along and told me four thousand and think before earthquake there was something about eight thousand, rumors; he did not speak a cent to me then; gave me to understand four thousand.  | 28,    | 321,322 |
| Testimony of Nicholas at Grand Jury proved by Miss Condon where he said he thought E. told him four thousand.   | 28,    | 324,327 |
| Don't think trolley ever referred to committee.   | 28,    | 375     |
| Letters of this kind would be referred to Public Utilities Committee and don't  |        |         |



know if done so in this case although I  
a member.

20,

376

Think G. told me to vote as I was  
told by him as to leave but can't recall any  
other matter.

29,

377,380

Followed conscience in trolley, favored  
it before it came up at all.

29,

382

#### RE-CROSS-EXAMINATION.

Think first and only talk with G. about  
trolley was on Saturday before Monday next  
came up except when he paid me money.

29,

383,384

Don't what I said at Gladstone as to  
thinking going to be shut out; and rumor some-  
thing coming through in trolley and I happened to  
meet G. but don't think waiting for him as it  
was Wednesday.

29,

384-387

Testified at First P. T. that G. told me  
there was a resolution before the board for trol-  
ley and that there would be about four, over  
four thousand dollars in it, or something like  
that.

29,

387-389

I don't understand myself what I meant  
when I said "He said very little, didn't  
speak a cent to me then." (While clearly con-  
fused witness admits G. never talked to him  
about money in trolley matter but subsequently  
corrects it.)

30,

390-393

First intimation something in trolley  
was rumor among members and it was then I  
thought I was going to be cut out.

30,

394,395

No talk with G. about what I should  
testify to at Gladstone.

30,

394,396

G. reports after meeting Sprockels; I  
raised question of furniture indictment. No  
talk with G. about my immunity until night  
I resigned; talked with G. about immunity be-  
fore Gladstone.

30,31,

395-397

Agreement about immunity for me on  
furniture deal not brought up till night  
I resigned.

31,

397,398

G's instructions as to going and  
testifying at Gladstone, etc.

31,

399-405





Testified at Albee trial that no offer because that was the state of my mind then as I forgot the incident of G. and his friend.

32, 408-409

Don't think had general talk with G. before induction or up to Jan. 10th, about deals and money to come; think it was around telephone time, maybe he said that to me in connection with prize fight.

32, 408-410

Testified at G. Prelim. that G. told me in substance important matters coming and that he would look out for my interests; and have a recollection of such conversation was but impression in it occurred about the time of the Home telephone company matter or might have been at time of prize fight and what I said was "all right."

32, 410-413

To best of recollection G. said at that time in substance many important matters coming before board in which there would be a great deal of money and that he would treat the boys fairly.

33, 414

Could not say G. said to me in that talk that he would treat my fairly in that matter, he never said it very often if at all.

33, 414

Did testify that I thought G. said a hundred times that he would treat the boys fairly; and that he might have said in those talks that he would take care of the boys and help them in all matters in which there was any money, believe he did.

33, 414, 416

#### FURTHER RE-DIRECT EXAMINATION.

Think G's talk about treating boys fairly first came up when prize fight money paid and in connection with the kicking and don't recall if he said then anything about matters to come up thereafter and don't recall if he spoke then of G.; think he next talked along these lines in telephonic matter.

33, 416-418

Don't think G. discussed with me about return of money to Halsey but some of the boys did with me and I saw G. about it.

33, 418-419

Talk in which G. told witness thirty-five hundred in Home; readjustment of monies in telephone matter and discussion thereon.

33, 34 419-424

Think G. talked to me about treating the boys fairly while the paper was in Europe and while the papers were talking about an investigation and while G. J. was in session.

34, 419-424



Don't think G. discussed with me money in Parkside. Think Wilson did, and think it was while ordinance pending, but am not sure whether before or after the fire. 34 422-1/2-425

Dates on Parkside stipulated. 54, 425,426

Impression Wilson talked to me about money in Parkside after fire and during Grant Farr investigation and while money district attorney. 54, 426-427

Am not sure when money of money in trolley but think right after earthquake. Don't recall any talk about Sutter St. trolley prior to earthquake; kind of think Kelly spoke of trolley but don't know if before earthquake or afterwards. In rumors were suggested ought to be eight thousand, think Kelly did so and maybe several others said think Furey. 55, 428-430

Cannot recall any suggestion among members to get together and require money. 35, 430,431

Am of opinion talked with other members as to what ought to get in trolley; think Furey after fire and previous to passage to print; kind of impression ought to be more; think also Lonergan; dissatisfaction over rumor that Wilson got ten thousand; while trolley pending or previous quite a lot of discussion as to how much ought to come through; think I heard Kelly, Furey and Maxton discuss it, maybe Phillips. Some members suggested they ought to get eight thousand. 55,36, 432-436

Conversation with Phillips on trolley ordinance. 36, 437-439

Think I did discuss what ought to be done in trolley before it came up to print; think Kelly ought to be more than four thousand and that was before I heard from anybody else that that was the amount and I might have said to him that I thought so also. 54,37 433-444

Don't remember what time in the day trolley ordinance came up or what I was doing there that day; think G. was in the chair. 37, 444

Did not talk or hear talk with other members on prize fight consideration because it came up, nor on gas. 37, 444,445

No discussion among members as to what they would ask for prize fight or trolley or Parkside. 37 445





Don't know who filed accounts in favor of these matters. 37, 446

I never told G. that I wanted to get money in any of these matters nor did I ever hear of any other member doing so. 37, 446, 447

Matter of going to Al. Brown's discussed in courtesies and circumstances and details. 37, 53, 447-448

Don't know if G. mentioned the matters we were to give testimony about; Davis asked him a question I think about Parkside or it might have been about the trolley; I think G. said all questions would be examined into. 38, 423, 454

In regard to testimony of First N. T. where I spoke of "resolution" I say he could have said there was a motion coming before the board or a resolution coming before the board; an not of opinion there was a resolution before the board when G. spoke to me but would not swear positively. 39, 455-457

Discussion and complaints after trolley went through about money not coming and as to whether G. was treating them fairly. 39, 459-461

#### RE-RE-UNION-EXAMINATION.

Testified at N. Prelim. that is no talk about any money proposition with G. or Wilson was G's name ever mentioned to me; and I stand by that. 40, 465

Never saw Calhoun until saw him in court in First N. T. 40, 466

- - - - -



LESLIE IRVING

in testimony of

FURRY,

at the CALLOUP TRIAL, No. 1436.





(First column indicates pages of volume entitled "CORRECTION  
TESTIMONY OF SUPERVISOR WILSON, FORNEY,

|  | PAGE OF<br>EVIDENT. | PAGE OF<br>EXHIBIT. |
|--|---------------------|---------------------|
| Before trolley voted on talk with A.,<br>Lower Hall, substance that I.H. asking<br>for two were to have franchise, that was all;<br>few days possibly week later U. told me<br>times to go through and eight or ten thousand<br>and in it.   | 10                  | 1778                |
| Next talk with U. between passage to print<br>and final passage, not not sure, and he then<br>said he would turn to your thousand, and I<br>said would start program; think this last<br>talk day or two before final passage.   | 10                  | 1778                |
| Received four thousand in two payments<br>from U. First money bill about August 1st;<br>the the date from reading when others get;<br>don't know denominations of first; second<br>received month later, two thousand, don't<br>know denominations of complete payment; one<br>payment small bills, from one to twenty, and<br>other others larger ones, fifteen to a hundred<br>inclusive, but don't remember any other<br>amount; don't know which payment small and<br>which large; small mostly old, used con-<br>siderable. | 10                  | 1778-1777           |
| Talked with Harlock one day and told<br>him I would vote for it.   | 10                  | 1777                |
| CORRE EXAMINATION.   |                     |                     |
| U. First asked how stood and that<br>about first of May, and I said in favor;<br>nothing said about money then; I did think<br>then money would be in it.  | 10                  | 1778                |
| Testified at last U. said that I did<br>not think then any money in it, and I would<br>not stand on that answer in A. case.  | 11                  | 1778-1779           |
| Told U. in first talk that I in favor<br>of it for good of city and he said nothing<br>about money and I felt that way without<br>money.   | 11                  | 1778                |
| Ten days or two weeks later U. said<br>it was all right and eight thousand or<br>ten thousand, and that was after I told him<br>in favor.  | 11                  | 1778-1779           |
| "Program" in board, and I would have<br>followed it on trolley and on all matters,<br>beardless of personal views; understood U.<br>giving orders through U.   | 11                  | 1778, 1779          |
| As sure it was U. who told me four<br>thousand; never had idea it was Wilson who<br>told me four thousand, but U. also asked to<br>me.   | 11                  | 1778, 1779          |
| Testified before U.J.: "Bills in first<br>payment were large."   | 11                  | 1778, 1779          |
| Right following that at the U.J. I<br>testified as follows: "I remember what<br>payment I got one and two dollar bills in,   |                     |                     |

| Date | No. | Description    |
|------|-----|----------------|
| 1890 | 1   | Jan 1 Balance  |
| 1890 | 2   | Jan 2 To Cash  |
| 1890 | 3   | Jan 3 By Cash  |
| 1890 | 4   | Jan 4 To Cash  |
| 1890 | 5   | Jan 5 By Cash  |
| 1890 | 6   | Jan 6 To Cash  |
| 1890 | 7   | Jan 7 By Cash  |
| 1890 | 8   | Jan 8 To Cash  |
| 1890 | 9   | Jan 9 By Cash  |
| 1890 | 10  | Jan 10 To Cash |
| 1890 | 11  | Jan 11 By Cash |
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| 1890 | 31  | Jan 31 By Cash |
| 1890 | 32  | Feb 1 To Cash  |
| 1890 | 33  | Feb 2 By Cash  |
| 1890 | 34  | Feb 3 To Cash  |
| 1890 | 35  | Feb 4 By Cash  |
| 1890 | 36  | Feb 5 To Cash  |
| 1890 | 37  | Feb 6 By Cash  |
| 1890 | 38  | Feb 7 To Cash  |
| 1890 | 39  | Feb 8 By Cash  |
| 1890 | 40  | Feb 9 To Cash  |
| 1890 | 41  | Feb 10 By Cash |
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| 1890 | 87  | Mar 26 By Cash |
| 1890 | 88  | Mar 27 To Cash |
| 1890 | 89  | Mar 28 By Cash |
| 1890 | 90  | Mar 29 To Cash |
| 1890 | 91  | Mar 30 By Cash |
| 1890 | 92  | Mar 31 To Cash |
| 1890 | 93  | Mar 31 Balance |

the first payment. One of the payments had a lot of ones and twos, most all of the bills twenties and less and the other payment had fifty and hundred dollar bills; couldn't say whether it was the first payment or the last, as a vast one was with small bills, one, two, five and twenty," and I can't tell now which was the large one and which the small.

12,

1785

People asked the trolley on it, would have voted for without doubt; I always followed program and if C. said not to vote for trolley I would not.

12,

1786-1788

Best recollection C. told me now such in trolley before passage.

12,

1788

Testified at last R.M.: "Testified at Gladstone that C. did not tell me before the passage of trolley how much there would be in it but that he had told me there would be something in it."

12,

1789, 1790

Platform for municipal ownership and I made speech on it.

12, 13

1790, 1791

In Judiciary committee but heard nothing about salary in three-cent fare matter.

13,

1791, 1792

Before got prize fight money on talk with C. about official program, or treat boys fairly. He did tell me he would represent R. and treat boys fairly; did not gather his implications till he reached the five hundred.

13,

1792

Talk with C. and Swillock at Cyster Loaf and suggestion that T. see R. and he reported back that what C. said would be all right,

13,

1792, 1793

Three talks with C. about trolley: in first he felt me out, no mention of money; later said eight or ten thousand in it. Don't know if first talk before or after ordinance passed to print, but think it was after passed to print before heard anything definite about sum.

13,

1795

Received seven hundred and fifty in gas, don't know denominations.

13, 14

1795, 1796

Don't remember denominations of prize fight money.

14,

1796

Canderson told me Halvey wanted to see me and I went; he told me not to be a fool; got five thousand in hundred-dollar bills; gave some back, took it to vote against home, when found out program the other way gave Halvey the other half back.

14,

1796, 1797

Lowered every testimony; talks with District Attorney, talks with supervisors about testimony.

14, 15

1797, 1802

Immunity (Hans) says not legal.

15,

1802-1804

Talks on immunity; keep office; can't remember anything being said about keeping money but I had idea we could keep it; no





understanding about taking orders, G. did direct our actions and we did what he told us, I supposed he got his orders from Spreckels or the district attorney.

Affidavit.

My talk with Hallally was at the time trolley before the board.

Heard no talk about trolley before the fire among the members.

Different people talked to me about trolley.

Thought it would take a year to get cable going.

He was suggested change my testimony.

I took program from E. McCarthy used office to R. and G. told me about line of induction that he represented in; in case of conflict would follow R.

Purpose of witnesses. To secrecy of R. at witnesses.

I felt R. got the prize from money and it was my impression that as to any money after that he knew for sure.

System of prize fight permits in 1933; understood ordinance granted twelve permits for 1933 to state commission.

Heard talked to me about Wlad-ster or E.L. testimony.

He talk with R. about Halvey money after I got it nor with any other member.

Think G. told me program for home just before caucus and that is why I changed and I think he then said money in it but I don't remember he said the amount.

G. afterwards gave me thirty-five hundred in telephone but before he gave it I think he told me the amount; think Duffy told me that he got six thousand and I think I had a talk about Duffy's amount with G. as to why I only received thirty-five hundred.

Talk with Halvey in which he gave me five thousand.

Halvey spoke to me about returning and that is how I gave it half back.

In restaurant talk with R. and Paul-son, latter mentioned about R. giving out twenty-five dollars and suggestion made that R. see R. to see if what G. was giving the members was right.

Affidavit.

RECORDS EXHIBITION.

The talk with Paulson was at Oak and Broadway stn. where I went to get a position.

Don't know who told me take a year to get cable going, but I got that information;



friendly feeling to the company on ac-  
count of its work and its donation.

19,20,

1826-1831

The ordinance came before heard first  
time race filled and cheering at passage.

20,

1831

The cars started streets filled with  
debris.

21,

1833

Condition of cable lines in burned  
district.

22,

1833-1835

Condition of Market street track bed.

23,

1835















## Gallagher on Trolley Matter

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Complete Testimony of Gallagher on the Trolley matter in  
the Following Proceedings:

- I Gladstone;
- II Grand Jury;
- III First Ford Trial (817) ;
- IV Second Ford Trial (823) ;
- V Third Ford Trial (812) ;
- VI First Ruef Trial (840) ;
- VII Crothers-Older Libel Case (1358) ;
- VIII Ruef Preliminary Exam.
- IX Coffey Trial (1080) ;
- X Second Ruef Trial (1437) ;









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- VII. Crothers-Clder Libel Case (1388);
- VIII. Ruef Preliminary Exam.
- IX. Coffey Trial (1080);
- X. Second Ruef Trial (1437);



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TESTIMONY OF SEPTEMBER GALLAGHER GIVEN AT THE GLACIER.



112.

Q. What was the arrangement entered into, if any, in regard to controlling the Board of Supervisors upon matters that might come before them, this Board that went into office in January, 1907? A. Well now I can't know what you mean by arrangement. Q. That plan was adopted for getting an expression of opinion of the different members and keep in touch with them, so as to be able to have them work together in matters that came before the Board? A. I don't know that any plan was adopted for that purpose alone. We started holding the conferences -- what are you getting at, we talked the matter over and it was thought that it would be a good idea to have the members meet inasmuch as all elected on the same ticket, to meet together and confer on Sunday evenings so that any differences of opinion might be thrashed out there, so that there would not be any friction or talking in public that might be detrimental to the administration; that was the general purpose.--(1)

Q. Now then you made the arrangement with the dissenting members of the Board; did you speak to each one about it before they voted about it? (The previous question was about the price fight matter.) A. There was very little said as a rule. Q. What was your plan in that -- the beginning of it now? A. The plan simply was to speak to each member of the Board and tell him to send the matter along the boys there was likely to be a certain amount in this thing and then when the matter would come up it would be passed and if anyone asked any question about this, I would simply say it was all right. Q. Now then was there some particular member of the Board who you had-- there was undoubtedly some particular member in whom you had more confidence than some others? A. Oh yes, Wilson was the one that I had confidence in, whose judgment I had more confidence. X X X -- it was not so much that I felt that he had more to lose than most of them in this position -- it was not so much considering that as it was this. I thought he would have more influence with the boys and would be able to satisfy them more than anyone else if he would be satisfied with the proposition.--(2)





20013-XX.

The trolley matter was first discussed with me by Huef after the fire. There was no discussion between him and me about it before the fire that I remember of now,---(18a)

Q. Now, then, what was the first discussion between you and Huef in regard to the matter after the fire? A. It seems to me I do remember that there was some discussion about trolley before the fire, I don't think Mr. Huef spoke to me about it. I remember now there was some newspaper talk about it, -- about the credits wasn't it more about it than the overhead trolley? Q. I want to see if you had a talk with Huef in regard to the trolley? A. He talk to me about it-- it was after the fire.------(18a)

The substance of my first talk with Huef after the fire in regard to the trolley that he said the United Railroads wanted to put in the trolley system, that their system was absolutely destroyed and he said if it can be done why there will be a great deal of money in it. I said "Well, I don't know whether the boys would want to do that or not; I will see how the boys feel about it." And I spoke, I think it was Wilson and took steps to sound the boys out to see how they felt about it, and then I said to Huef "There is a good deal of talk among the boys about this being a very difficult proposition on account of so much opposition to the trolley on Market street but I think if you are anxious to put it through it might be possible to do it." And then he said that he wanted to put it through and that he thought it might be possible to get a large sum for it. I told him that it ought to be and in talking with the boys about it I got the idea that they would not care to put it through for less than 5 to 10 thousand -- thought they ought to get that



much. I told Huef I thought so too. Huef said it would be impossible for him to do that and I think then it was Wilson who talked with some of the boys about it and told me that he thought that they would be satisfied with \$4000. I so reported to Huef and he said "All right, put it thought."-----(184 185)

2. Then you reported back to the boys, the members of the board, that \$4,000. -- A. Yes, sir, I told Wilson to let the boys know that would be the amount that they would receive. (185)

After the trolley was put through I paid the money - Huef got the money from Huef to do it with. He paid part of it to me at his office on Pine street and part at his office at Bond and Millmore streets. The first payment was made to me about about the middle of July and I think he gave me half of it at that time, about half of it, the other half I think about the end of July.----- (185)

The first payment that was made to me in the trolley to Huef was all in bills; the size of the bills in the first payment to me was that there was a number of small bills in the first half and some large ones; the large ones were running about \$100 and quite a number; the bills ran down as small as \$1. and I think in some instances \$1. and \$2.; they made quite a bundle.----- (185 & 186)

The last payment that Huef made to me in the trolley was in a money and mostly large bills; by large I mean \$100; there were some \$50. bills, too, but very few of them, a good many \$10. bills and \$5. bills.----- (186)

The total amount was \$80,000. and of that amount fifteen of the members received \$4,000. each and Mr. Wilson received \$10,000. and I received \$15,000. Mr. Hes did not get any of that from me because I did not care to deal with him any further as I thought he was talkative. I don't know if any arrangement was made to give it to Hes through some one else. I told Huef I would not give it to Hes and he said he would have to see about that.----- (186 & 187)

The understanding with Huef as to distribution by me of that money was that it was to be paid in the way I did pay it and that was in accordance with a request between him and me and included what Wilson got and what I got. I carried out that agreement exactly.----- (187)

I did not talk with anybody interested in the United Railroads.----- (187)

I never had any talk with anybody in regard to this money matter except Huef.----- (187)

I met Mullally, I was told they had a luncheon at the carmen and Huef suggested that we go in and get luncheon, that he understood they served lunch up there, so I went up with him and they were serving lunch in a car; Callow was there and in the car at luncheon and I met him and for the only time. I did not meet Mullally at that luncheon. I think Boston was there but I don't remember anyone else. I do not remember Coleman, Phillips might have been there, I think there were probably five or six members of the board there. I think that was after the franchise was passed.----- (187 & 188)

I have known Tiley L. Ford since he became Attorney General. I do not know him intimately and we have never been at each other's house. He never talked to me about the franchise. (188)

I don't remember who introduced me to Mullally; I was at Mullally's house once and had dinner there with Mark Cole - son and Mullally; I think that was after the franchise was





passed, pretty short time afterwards. It was before the money had been paid; at that dinner there was no discussion of the Company's affairs or relations with the City; we enjoyed it when diners were scarce; Now I came to go to that dinner was that Huef said finally wanted us to dine with him; after the dinner the four of us went to the Chutes, that was probably a few days or a week after the franchise was passed but I can't remember exactly.----- (18e & 18f)

Huef was never in my private office; I met him several times when he was in the office with the Ocean Shore people and others arranging business in connection with the lines on the Mission Road and on change of grades.----- (18f)

I do not think they have received the franchise to run over any blocks they didn't run over before; there was a dispute over their right to run over Stanyan street but the Junaluska requested that they be allowed to do it pending the question and I think that is the way it stands now. I have no talk with Huef about the Stanyan street matter other than to mention it to him. Our action on Stanyan Street matter was taken without consulting Huef as I didn't consider it of much consequence.----- (18g & 20c)

I did not have a talk with Schmitz in regard to the trolley matter when it was up. He did not come before the board in any manner or give any opinion whether it ought to be granted or not; I did not talk with Schmitz about it. He did express his opinion in favor of the same franchise.---- (18g)



STUDY OF THE GERMANY GERMANY GERMANY GERMANY GERMANY  
ON MARCH 18, 1907.

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TRILLY.

Before the passage of the ordinance granting the U. S. license to erect poles and string wires for the overhead over part of their system Huef had a talk with me about it in regard to what the payments should be. Q. What did he say? A. Well in substance that he thought he could or would be able to secure enough money from them to allow each member of the board of supervisors \$4,000; that was about the substance of the conversation. I inquired from some of the members of the Board as to whether that would be satisfactory and there was a good deal of grumbling there though, I understood, but did not hear it. Q. That is different once told you? A. Yes, sir, and my reason for saying that is that I was informed by some of the members that there was some dissatisfaction over the amounts that they would receive on it. Q. Thought they would to receive more? A. Yes, sir. Q. What was the price they thought they ought to get? A. Did not fix any price, but Mr. Huef stated that would be all they could receive, and it was finally decided to pass the ordinance granting the franchise before the Board. x x x I did tell Huef that there was dissatisfaction with the price after the first talk. And he said it would be all that they could receive for it. Q. Now then you talked it over with them and reported back to him that it would go through all right. A. I don't remember talking it over with him again. I didn't according to my recollection I said to one or two members of the Board, I don't remember which, I think Mr. Wilson was one of them, it was, all would be paid. Then he, or whatever member it was that I spoke to, sent word to the other members of the Board and then the ordinance was brought before the caucus and the caucus decided to pass it. x x x Huef was present at the caucus and Mr. Meyer may have been there but I am not sure as he was seldom to the caucuses after the earthquake.---(59d 70)

It was understood Duke men would vote at the caucus in the way he would vote at the meeting.------(70)

Q. You were understood to represent Mr. Huef and Mr. Huef's views? A. That was generally understood by members of the Board. And whatever way you went meant progress?



A. I believe L. Huef told a number of them so and that circulated among the others; it was generally understood by this time.----- (71)

After the trolley was passed Huef gave me \$11,000 in cash, ever to them in, I think, the different payments. The first payment was not exactly half but was about one half of the amount and this first payment was made to me by Huef at his office on First Street near Astor. I. That was the money. I. Generally in small bills, that is from one dollar, two dollars, five dollars, ten dollars and twenty dollars, and some for five or fifty dollars and one hundred dollars. But very few, generally in bills of small denominations. I don't know how it was but the bills were so small that time soon it became difficult in obtaining large sums of money at that period in time. I believe that Huef did say that the reason the payment was split so was that there was difficulty about changing gold for currency and did not want to pay in gold; I don't know if it was the reason for splitting the money but my recollection is that it was the excuse given for the delay in the payment.----- (71)

I cannot remember how long after the vote it was that the first payment was made to me; I don't remember with any exactness the period of time that elapsed but the first payment was, I think, was about the latter part of July and the final one about the first of August.----- (71)

At the time Huef made the first payment to me I don't remember fully stating he wanted it paid out but it was given to me to get out to them in accordance with the understanding that was had before the franchise was voted upon. When he gave me the first payment he told me the balance was to be paid later; and that was on account of the entire amount that was to go to the Board to vote for the trolley.----- (72)

That night I was going to sleep the \$11,000 for myself and so told me.----- (73)

I had no conversation with any member of the United Railroad Co. in regard to this matter. Huef suggested one day as we were passing the car barn that we go in and have luncheon and we saw a number of people there and several of the supervisors there. Norton was there and there were several strangers. I met Calhoun there for the first many times. I don't remember if Bullally was there. I don't remember if I had met Bullally before that or not. I dined at Bullally's house a week or two after the vote and before the first payment was made and Huef and Coleman and Bullally and myself were at the dinner.----- (75)

I knew Wiley Ford fairly well, not intimately. I never had any talk with him in regard to the trolley franchise. I talked with Ford once and wanted some suggestion about the matter but he turned it aside and I saw that he did not care to discuss it; My idea was that I was on a fishing expedition. I had seen the statement in the press that a very much larger sum had been paid for it than we had any understanding and my idea was to obtain information from Ford; He was exceedingly adverse to talking on that particular subject as I did not speak to him again. It was no talk at all that I had with him but I just made some remark that I thought would lead up but he apparently did not see the drift of the remark and turned it aside.----- (76)

Huef never gave me any information as to what he was getting and didn't say because I knew it well as well as he did to me so.----- (76)

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UNIVERSITY OF CALIFORNIA - GALVESTON AT THE UNIVERSITY OF CALIF. (017)



10-10-71

Now forty eight or ten years. ----- (130)  
by first conversations with Ruff, I had talked with Ruff  
about the trolley and they covered a period of several months,  
commencing some time in the early part of April, 1964, shortly  
before the earthquake and fire. ----- (131)

What was said by Mr. Ruff in the first talk with me on the  
trolley was, he referred to the prohibition in the newspapers  
concerning the sale of the Company to anyone as overboard  
trolley and asked me if I thought it would be possible to  
have that privilege granted by the Board. I told him that I  
thought it would be; that personally I would be in favor of it  
and I thought it would be a good thing for the City and I  
thought the Board would pass it. Ruff then stated that he  
would like to be a member of the Board of the Board and  
would like to be certain for him just how they would stand on the  
proposition, and about what a lot of money they would  
make, or what I might upon in order to pass it. I told him  
I would be so. That talk happened just a short time before  
the earthquake. ----- (132)

I had another conversation with Ruff on the same sub-  
ject afterwards, and it was after the earthquake; and Ruff  
then spoke to me again about the matter and stated that he  
was desired to secure that privilege and asked if I had  
heard out from the members of the Board what it would be, and  
I told him that I had not and that I had not spoken to the  
members of the Board; and he then asked me to do so; and  
I went to see all three and it, and subsequently met Mr.  
Ruff and told him that I was satisfied that it could be  
passed and I told him the amount of money that he could  
allow the Board if they passed it, each member; he told me  
that he would allow four thousand dollars for each  
of the members of the Board; and that my compensation  
would be twelve thousand. I went to one of the  
members, a son of mine. I remember particularly speaking  
to Mr. Wilson, I think, and I asked Mr. Wilson to speak to  
some of the members and find out. I reported to Ruff that the  
problem would be passed by the Board, and that would be  
the subject that was to be said to them as suggested  
by him. The talk with Wilson that I have just mentioned  
was that I simply requested Wilson to speak to some of  
the members of the Board, to report to me as to whether the  
subject of stock would be satisfactory to them and as  
reported to me and said that he had spoken to several of  
the Board and that it would be all right; as to whether  
Wilson knew the ones he had spoken to, I remember his  
speaking of Purdy and Harlow but I don't remember of his  
speaking of any others. As to your question whether or  
not in either of my talks with Wilson there was any offer  
amounting to \$1,000 mentioned -- I say I am not certain  
whether it was at that particular conversation or not but  
I know I did have a talk with Wilson about his own compensa-  
tion that he was to get and Wilson stated that he thought  
he could be receive compensation that was given to  
the others and I told him I thought so to, and I would  
arrange to arrange for him to receive \$10,000. I re-  
ported the talk to Ruff and we agreed that Wilson should  
receive the additional sum by reason of his services in

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the matter of arranging with the others, his influence in the East.----- (241 - 47)

This last mentioned talk with Earl was prior to the passing of the ordinance to print and all of those talks that I have referred took place prior to the passing of the ordinance to print; the first talk with Wilson took place probably a week before the passing of the ordinance to print; the second was probably a couple of days before, a day or so.----- (247 & 3)

In this conversation with Earl in which I stated Earl Wilson's compensation was to be my remuneration is that the amount I was to receive was within or at that time, and it was agreed that it would be \$1,000.----- (247 & 9)

Between the time Earl spoke to us about the trailer after the time when the ordinance was passed to print I do not know Earl's name. I met Earl only before the ordinance was passed, at the Car Club luncheon, it was merely an introduction, an exchange of just a few words; I believe ~~that I never saw him again~~.----- (247 & 9)

I was alone with Earl; there were a number of people there that I was not acquainted with; Phillips and Dalton and I think Wilson were there, that is all the supervisors that I remember as being there.----- (247 & 9)

As far as I know in mind when you speak of the trustee to print of the ordinance is for 19th and that is the date I had in mind in all the testimony I have given on that subject.----- (251)

As to whether I had any further talk with Earl about my remuneration after that and in which the compensation was agreed upon and as to the time that the ordinance was passed to print, I say that I was frequently in conversation with Earl about it at that time about the matter and talked with him about this about it; I cannot detail those talks but I reported to Earl that the arrangement as he had suggested it concerning the sum to be allowed was satisfactory to the members and that the matter was agreed.----- (251 & 1)

I did not have anything to do with the preparation of the ordinance that was actually introduced.----- (252)

I think the Car Club luncheon was about the first of May, about the week before the ordinance to print, and before conditions were settled enough to make it so desirable to find a building place in the city.----- (252)

In answer to your question as to whether or not I met Earl at any time between the time that Earl spoke to us about this ordinance after the time and the time the ordinance was passed to print, I say I have no recollection of seeing Earl (Earl) between those dates and I do not think I met him at any time between the dates it was passed to print and the date of its final passage.----- (252)

I do not know by whom the ordinance was prepared or who brought it to the board.----- (252)

I do not believe that I voted for the passing of the trailer to print as it is my recollection that I was not present at that meeting. I do not remember the presentation of it at the board meeting, and do not think I was present. I was present the week following when it was put on final passage and I then voted in favor of it.----- (254 & 3)

Mr. Earl gave me altogether the sum of \$95,000 and it was in several payments. It was not all paid at once.----- (257 & 4)

As to what the arrangement with Earl was about the \$4,000, I reported to Earl that that amount of \$4,000 was satisfactory to all of the members of the board except Mr. Wilson and



specific, the amount that we were to receive being fixed at the amount I have mentioned. I also stated to the fact that I was excluded from my arrangement but I did not leave to talk with him about the matter and later when stated that he would attend to her himself; those were the contents of the Board and eliminating the would come 17 and eliminating and specific would come 17, and it was the number that were to receive \$1,000 each, that was my report to him.----- (100 & 9)

That was the \$40,000 of the trolley order in the month of July, 1930; on that \$40,000 was in two or three payments, I do not remember which; I remember there were at least two payments, and I think probably three. The money was in small bills, ranging from one dollar to twenty dollars; one dollar bills, ten dollar bills, given one time and twenty dollar bills. Those payments were made to me at 1000 1/2 dollars to \$1.00. I remember I remember. It is not possible at this time the one ten dollar bill, I remember that there were quite a number of one and two dollar bills; probably one-third of it was in bills of the denomination of one and two dollars, but I could not state it with any degree of accuracy; it had quite a large number; there were several large payments, about three.----- (100)

That I received the first payment that was made and I received it until the amount of \$40,000 was in my hands; I received the last lot of that \$40,000 about the latter part of July; and I then distributed the last payment to each of the persons receiving lot in the amount I have mentioned. Before distributing those bills I counted out the amount, one-half of the amount that was paid. In each of the packages that I was making up, we placed it in an envelope and handed the envelope and money to each number that I was making up; I cannot remember at this time whether or not I gave those packages. But there it was paid to each one; and those last payments were made about the latter part of July, 1930.----- (101 & 2)

I remember that I have forgotten his name but I was that was made to him and I don't remember the circumstances when I don't remember he gave me and said I had made mistake in counting the money and had only given the \$3,000 and I went into another room and counted some more that I had it as anyone it or about the time he was there and that I had it on him an envelope containing \$1,000 that was not intended for him and had received the \$3,000 that was intended for him, and I then returned the \$1,000 that money was over it to him to complete his first bill; I don't remember if that incident with someone took place on the same day that I had handed him the \$3,000 bill or not but it was shortly afterwards.----- (102)

I received the balance of the trolley order from that time and on of amount at his office on River. Our officer said it was in emergency case; the Illinois is an office, normally, the commissions probably ran from fifty dollars to five hundred dollars; twenty-five dollar bills, one hundred dollar bills and five hundred dollar bills; I believe the last payment was \$40,000.----- (103 & 3)

I immediately gave that money payment to the persons in the possession that they were entitled to according to the understanding between myself I have testified to, and everything in the conversations I have testified about between that was as to what it was to be.----- (103)





The first half payment, which I think was \$41,000, that was paid to the members in the first payment of cash in small bills; Ruef explained that it was extremely difficult to get currency; that also was the reason he told us why the payments were divided. That and the difficulty of obtaining it was why that \$41,000 was divided. As to whether he told us anything about whether he had all the matter at that time in hand, I may be able to say he did not have all of it in hand; the excuse or reason that he gave for that was the difficulty of securing currency.----- (320)

Q. I am only I do called by \$11,000 either in the safe-deposit box at the First National Bank or in the box at the California Safe Deposit & Trust Co. I had the cash there at the time. Part of that money has been expended but I cannot say how much because it was mixed with other moneys that I have. I say made no investments of it. Whatever amount has not been spent is still in the box. The money I have there exceeds \$11,000. In both of those I have something between \$2,000 and \$3,000. I think probably \$2,000 was the largest amount that was there in all the time at any time during the last year and eight months.----- (321-32)

Q. Did you talk with any members of the board about this ordinance at any time, whether in caucus or not? A. I don't remember at any particular conversation concerning it, Mr. Rogers. I may have but I do not remember a conversation concerning the ordinance. You mean the form of the ordinance in which it was presented? Q. No I mean the ordinance? A. You mean the proposition of granting the privilege of installing the trolley. Q. Yes. A. I think I spoke to several of the members about it, just which ones I could not state positively now. I know that I did speak to Mr. Wilson about it. Q. Did you speak to any other persons about it, or the members of the board? A. Well I think I do, I am quite positive I spoke to several of them but not all of them, but I cannot say which ones and I could not be positive as to the number.----- (321)

Q. It was when the matter was being considered first that I said that speaking to them about it, when the proposition came up after the catastrophe; after I talked to the supervisors I reported back to Ruef, and that was shortly before the ordinance was passed to print.----- (321)

Q. I did not have any difficulty with the members of the board that I remember and I did not report to Ruef any dissatisfaction with the ordinance. Mr. Ruef told me that he thought he could or would be able to secure enough money from them to allow each member of the board \$4,000. I did not say to the board that Ruef would do it but Ruef said to me, that he could or would be able to secure enough money from them. Q. Didn't you tell the board that? A. I told the board that that amount could be allowed to them; that is I sent word to that effect to some of the members, but I am satisfied that I did not say that Mr. Ruef said it; because I was not in the habit of mentioning to the members of the board that Ruef was giving me the money.----- (323)

Q. It would be impossible for me to give the exact time and place of all the payments and I do not recall the exact payment or handing over of the money to each one.----- (324)

Q. The reason Wilson was given \$10,000 was that I considered him of more service in the board, more influence in the board,

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(continued) Section as to Income and Expenditure, 351 et seq.

Q. At the time, or prior to the time did you have and leave through the news papers and otherwise in addition to the conversation you have recalled to mind the fact that the United Nations Conference were about to meet in December at Geneva in December? A. In the last of my recollection the entire was published in the newspapers and signed at approximately before the conference. Q. During the fall of 1945 did you know that the U. N. was planning to discuss a resolution for the overseas peoples in the Pacific and Indian Ocean Areas? A. I believe it was passed at the effect that they were about to do for it, or that they passed it. I was never present at a time, and I remember it.

[illegible][illegible]

1. The first group of people who were involved in the project were the students of the school. They were given a lot of work to do and they had to finish it by the end of the year.

[illegible]





to see him about it and let him have the note back, so he might stop he thought proper about it; and he said no, it was not of any consequence at all; he said "you may read it," he; it was simply a memorandum; the substance of it I think I can give, and I do not remember the exact wording of it the substance of it was that the Grand Jury was taking up, was going into the matter of the United Railroads trolley privilege and the prosecution had not made any headway, and that it was thought that the next step would be to try to lay some traps for the supervisors; it was not signed by Mr. Lord but was just a handwritten memorandum; it was not signed by anybody that I remember and I think I would have remembered if it had been signed by anybody; what I did with the memorandum after reading it was that I handed it back to Lord; simply made a short hand memorandum of the contents; and when I saw that I must read the short hand memorandum to him and he said "All right, all right." as a thing of that sort. I can't remember whether the Grand Jury that returned this indictment was then organized and holding sessions. I can't remember that circumstance except from my knowledge of the time when the Grand Jury was organized; the Grand Jury was organized either in the latter part of October or the first part of November 1898, but I do not think of it in connection with this proposition and I am not fixing it in connection with that; but this incident occurred after I had learned that the Grand Jury had organized and I knew at the time of the organization of the Grand Jury. Nothing was said in that note as to how the information had been secured, nothing in it to that effect at all; I had my impression, of course, at the time. As to your question whether Mr. Lord said anything to me as to how it had been secured, my recollection is that he said that it was a memorandum that was sent to him by some friend of mine; I could not be positive as to what explanation he made about it. He said at the time - he did express himself that he felt kindly toward the administration; he said that were to Mr. Lord that he did not care to see this administration get into the disreputable of that sort ----- (20-75)

When I placed Longergan's envelope with his other papers and handed them back to him I said "this is for you", or "here is something for you", and I intended that were to call his attention to the envelope and said it loud enough for him to hear it. That envelope was an ordinary size envelope, used for the purpose of enclosing legal documents; the bundle they made was not a thick bundle, it was notes of large denomination, but particularly my note ----- (20-76)

When the trolley matter came to be published in the papers and Lord spoke to me about it before the fire, I thought it was a good thing for the City and I would have voted for it and I so told him. My views are correctly stated in a hurried newspaper interview which you called to my attention and those are my views undisturbed in any respect by any financial consideration. I did not find any opposition to the trolley. Transportation facilities had been destroyed and the plant of the United Railroads. There were petitions filed favoring the trolley and I do not remember any against it. ----- (20-77)

I did not go to the Car Barn luncheon to meet anybody but simply to get the lunch. I think I was with Russ and I did not know we could get lunch there until he said so; and there by chance I met Calahan and was quite a number there mostly strangers to be accepting the hospitality of the railroad company.



The Lumberer has no significance to me except as a little hospitality.----- (ME-3)

I generally presided over the Board in the absence of the Mayor and there were a number of the members of the Board who felt that I was the leader; I think myself that I had considerable influence with the members; there were several who took a prominent part in the proceedings. Foxton, Lee, and Anderson and I had been supervisors before. I was chairman of the Finance Committee in the Board of 1906. I think it is generally understood practically as to be the leader of the Board.

(ME-5)

I rather think this franchise would have been passed without a dollar from anybody.----- (ME)

Spokeness with Ruef was political and professional, principally through politics ----- (ME-7)

I filed a separate, verified answer.----- (ME-93)

### IMMUNITY.

After the filing of that answer I met Spreckles at the private twice may be three times and had conversation with him and after that I received a promise of immunity and then testified under it. The agreement of immunity was made with the District Attorney but by arrangements of the latter, the preliminary steps leading up to that, were with Mr. Spreckles, and subsequently confirmed by action of Mr. Henry and Mr. Langdon. I went to the Presidio to meet Mr. Spreckles by appointment and I made the appointment at the Presidio in order that we should not be observed. Mr. Owens did not go with me. There was no one present at any of the conversations I had with Mr. Spreckles at the Presidio. Owens was acting as a guide for Foxton; there were no communications sent to Spreckles through Owens; Spreckles and I were inside of the Presidio grounds; I met him at the Presidio gate and we stepped inside and walked up and down. I selected it because it was more secluded and convenient for the purpose. I cannot fix the date of my first meeting with Spreckles but there but it was about the first part of March; it is possible but I don't think that it was in the later part of February. My second meeting was probably a few days after the first and I think it was a subsequent engagement. I think when we parted the first time it was with the understanding that if I desired further talk with him I should send him word and I presume I did; we went out there separately and no one was with me. I think our meetings there were generally in the morning; but I am not sure that there was no evening meeting; neither Mr. Langdon nor any other of the regular officers of the City and County of San Francisco then. I arranged with Mr. Spreckles to secure immunity from the district attorney. Ruef was satisfied in connection with that as in other matter and Spreckles said that he had no feeling of vindictiveness toward Mr. Ruef and he did not think that the District Attorney and his assistant, Mr. Henry had any feeling of vindictiveness toward him. The statement was that they did not regard the punishment of Ruef as of the utmost importance, so far as their views were concerned and their propositions were concerned; Spreckles stated that the political bosses would come and go and political officials would come and go, but that the public services corporations would remain here and be felt that they were the source of whatever bribery or mismanagement



I have been thinking of you very much lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you. I have been thinking of you very much lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you.

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was going on in this or any other city and he stated that the desire was to prevent that, and that the objective point with him in view was that the corporations who had been dealing irregularly with public officials or any one else; he said that he saw no objection to Ruff having immunity if he would testify and that he thought it could be arranged that would tell the whole truth of all his transactions with the public service corporations. I don't remember that it was necessary for me to insist that Ruff was to be taken care of as well as myself if we came across. I asked him the question concerning Ruff, my purpose in doing that was I did not desire to give information concerning it if it were possible for Ruff to receive the same consideration that I was to receive under the same circumstances. (200-3000)

I did not make any statement to anybody until I had called a meeting of the members of the Board and it was under the instructions of the entire caucus that the statements were made. The caucus occurred at the rooms of the Board; there were two or three meetings concerning the matter. A whole majority were present. I do not remember of urging them to come over to the prosecution; I think that all the facts were submitted to them and we had a general discussion and it was decided by the unanimous vote of the caucus to accept the proposition that had been made; I was the bearer of the message from the caucus to the Board and reported to what the statements were to be by speeches. The statement was not that if they came through with their testimony both they and Ruff were to receive immunity, that is correct with one exception, that Ruff was to decide for himself what he wished to do and all that the Board did do was to ascertain that so far as articles was concerned the door should be left open to Ruff to accept the same proposition in case he desired to, but there was no stipulation that by reason of the Board giving their statements immunity was to be given to him; my last two speeches was that there could be no objection to Ruff receiving the same consideration that was given to the others who were allowed to come in. That is that he could receive immunity. I don't remember that Leblanc's name was mentioned at the Board. I am satisfied that it was not discussed from the standpoint of immunity because I had no connection with Leblanc. (200-3)

Ruff never told me that Leblanc was to get any of the traffic money or any other money. (200 & 9)

The date of the immunity of choice I think was in the early part of March and continuing along until the 1st of March we had a number of meetings about it, probably three or four; sometimes there would be two or three days when we would have a couple of meetings close together; that was before all of us went before the grand jury. (200 & 11)

It was either Evans or Linton that suggested I meet Leblanc the first time; I am satisfied it was Evans and he came to see me at my home and told me that Linton had put himself into a predicament by accepting \$300. From my own fact he was being pressed for a conviction, Evans said that he was satisfied that other members were in the same fix and he suggested it would be wise for me to have a talk with Leblanc because he was convinced Leblanc would make a statement of the transactions of the Board and that statements had already been made by other members and that for the purpose of protecting the other members of the Board from prosecution it would be wise



to have a talk with Spreckles and if possible make some arrangements that would protect the members and I authorized Owens to make the appointment. Owens mentioned several places of meeting and my recollection is I selected the presidio in the talk that I have just given. Owens also stated to me in that talk that Dexton had met Haney and Spreckles and Burns and Roy at Roy's home and that they had trapped Dexton and that he was satisfied Dexton would be convicted. No one of the presidio meetings was after dark. The substance of the first talk with Spreckles at the presidio was that Dexton has been caught, that some had made a statement and that Dexton undoubtedly would be the one and that Spreckles and the members of the prosecution were not vindictive and that they did not regard the prosecution of the board or of the political boss of a particular time as important, etc., and he advised a truthful statement by the members and that if they did so he was satisfied from conversations he had with the District Attorney that immunity would be granted them. I did not commit myself in any way but told him I would consider it and would talk with the other members and would probably see him again. I had never met Spreckles prior to that time.----- (319-89)

The way the second meeting with Spreckles came about was that I had talked with some of the members about the matter and we called a conference of the board or all those that were interested and went over the matter and the members requested me to see Spreckles again and to present to him certain other special matters and I then asked Owens to make another appointment with Spreckles and he did and I think that appointment was in the morning and was about three or four days after the first meeting and I met Spreckles. The special matters were the charge against Nicholas and whether they would have to resign. I presented these matters to Spreckles in the second talk and he said that personally it would be unwise to require the board to resign and that it would be better for them to resign themselves in office. It was a long conversation and at the end of it I told him I was satisfied that the members would accept the proposition but that I would report back to them. The conditions were not considered unreasonable by Spreckles and the prosecution and then if the board finally decided to accept I would interview him and arrangements could then be made for the taking of the statements. I think it was either the same day or the next day, but as quickly as I could get the members together and we discussed the matter further and it was unanimously decided that they would accept the proposition of immunity in consideration of their making a full statement of their transactions with the public service corporation. I think I went word to Spreckles then to Owens and had another meeting with Spreckles in the afternoon and I then simply reported to him that the conference had decided to accept the proposition and that the statements would be made by the members at any time that was set. ----- (359-73)

At none of the meetings between me and Spreckles there was never any suggestion by him as to what he desired should be testified to in relation to my corporation or person and I did not tell him my statement would be in regard to any matter nor did any person connected with the prosecution before I gave my Glassboro statement. Spreckles said that he did not desire to dictate to the board matters that were to come before it while they continued to hold office under the immunity contract, but that the members of the prosecution would be glad to advise with the board if the board desired it at







[illegible]



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TROLLEY.

I do not remember that any overhead trolley proposition on Lutter and Larkin streets was considered in committee before the fire; and I am not positive as to whether the matter was presented to the Board before the fire. I know the matter was being talked about a good deal. The newspapers were commenting on it, it seemed to be understood generally that the Company wanted the trolley. I don't recall that the matter of a trolley on Lutter and Larkin streets was before the Board at any time as an independent proposition.----- (117 & 18)

Mr. Reid first spoke to me about the overhead trolley a short time before the fire and that conversation was in substance that he asked me what I thought of the proposition of an overhead trolley for the United Railroads; I told him that I personally favored it; he asked if I thought it would be passed by the Board and I told him I thought it could be. He then asked me to ascertain about what amount of money it would require to have the matter passed by the Board; he asked me to interview the members of the Board and to let him know what amount would have to be given to the members of the Board in order to pass it. I told him that I would interview the Board and would let him know. That was I think just a few days before the fire; it may have been a week before. Most of the men were at that time on a trip to San Jose.----- (119 & 121)

I did not interview the members before the fire.----- (122)

I had further conversation with Reid on the subject after the fire. The first conversation that I had with Reid on the subject after the fire was perhaps ten days to two weeks to my best recollection, something like that after the fire and that conversation was that Reid stated that the United Railroads wanted to secure the privilege of substituting the trolley upon their system throughout the city in place of the cable; and he further stated that he thought he would be able to allow about four thousand dollars for each member of the Board



outside of myself for supporting that proposition and he asked me to see the members of the Board and to report to him. He stated that as to myself that he would agree with me afterward. - - - - - (224-7)

I don't remember whether Ruff and I discussed this in that first conversation after the fire or not, but we did talk about it prior to May 16, 1936 and I think told Ruff that I did not wish to have any dealings of that sort with him and he stated to me then that he would look after his himself. (224-8)

I had a conversation with Ruff in which Wilson was discussed in connection with this matter and I think it was previous to the meeting of the Committee, and it was after I told Ruff that Wilson was of considerable assistance and could be of great assistance afterward, regarding the matter through the Board and I suggested to him that Wilson should receive the sum of \$15,000.00 for doing so and Ruff concurred in that proposition. I believe it was in that same conversation that my compensation was discussed and it was agreed that I should receive \$5,000. - - - - - (224-9)

After the passage of the ordinance on May 14, 1936 and after I had the last talk with Ruff after the fire I did speak to the members of the Board about the matter.

Q. To what supervisors did you talk? A. I talked with Mr. Wilson. Q. In that order? A. Wilson. Q. Andrew J. Wilson, and requested him to see as many members of the Board as he could concerning the matter. I told him to say to them that they would receive \$5,000 for supporting the Trolley proposition. Q. Do you remember any other supervisors to whom you personally spoke? A. I spoke to Anderson, or rather Anderson spoke to me first, and I talked to him about the matter and told him there would be \$5,000 to be paid on the matter.

Q. What supervisors did you speak to? A. I talked to Williams about it, I told him that there would be the sum of \$5,000 which would be paid to him in connection with that sort of matter. Q. Do you remember any others you spoke to? A. I think that I spoke to Coleman and Davis and possibly I spoke to several others, but I do not recall the circumstances just now. I told Coleman and all of the others to whom I spoke about it that there would be \$5,000 paid to them. I do not remember that any other supervisor for the Trolley was then in the office before the Board. - - - - - (224-10)

I think I did not attend the session at which the Trolley would was passed to print, the ordinance, I believe that the matter had been discussed and I was there. - - - - - (224-11)

I subsequently received money from Ruff. Actually, I think, three different sums from or out of three at different times. The first was that I received making a total of \$15,000. The sum of \$5,000 I received from him I think in the first few weeks, the last of which was somewhere about the end of July, 1936. That \$5,000 was principally small bills, of lower denominations, one and two dollar bills, two dollar bills, five, ten and twenty dollar bills, and possibly a few as large as fifty dollars but I could not be sure about that but it was principally small bills. - - - - - (224-12)

What I did with this \$15,000 was I gave \$5,000 each to those who were to receive \$5,000 in all, and \$5,000 to Mr. Wilson, being one half of the \$10,000 that he was to receive. I paid nothing to me on the matter or franchise. The remainder of the money I kept myself. - - - - - (224-13)





I received the remaining 4,000 from Huef the latter part of August, 1900, and that was in currency of large denominations; most of it in bills of fifty dollars and one hundred dollars, and possibly a couple of five hundred dollars, but the larger portion of it was in one hundred dollar bills.----- (240 & 1)

That 400,000 I distributed among the members by giving another 20,000 to each of those to whom I gave the previous 2,000 making 4,000 in all to each of them and I gave 20,000 to Wilson making 14,000 to him; and I gave nothing to Rex and the balance I retained.----- (241)

I made the first payments to the supervisors in the trrolley matter about the first of August and I made the second payments to them in that matter in the latter part of August, my best recollection is it was about the last week of August. I paid the last payment to the supervisors almost immediately upon receiving it, that is as quickly as I could see the money, probably within ten or eleven days.----- (242)

In the first payment which I made to the supervisors in trrolley matter I used the same money that I had received from Huef; it is fairly possible that there may have been in that first payment of 20,000 even more few bills that were not given to me by Mr. Huef in that payment. In making the second payment to the members in the trrolley matter I used the same money that I had received from Huef.----- (243)

I do not recall exactly the substitution of my bills for those that were given to me by Huef but at the same time I would not wish to say positively that such was the case because the first payment I kept for some little time in my safe deposit vault where there were other bills belonging to me and while I am quite well satisfied that I paid out the exact bills that were given to me by Mr. Huef it is possible there may have been a few of the others that were substituted in making up the amount that were due to each one but doubtfully it was the bills that were given to me by Mr. Huef that were paid out in that first payment. There other bills that I had there would be of larger denominations than the ones that were given to me by Mr. Huef, probably ten, or dollar bills, some 100 dollar bills.----- (244-45)

I attended the meeting of the Board on May 22, 1900, at which the trrolley ordinance was finally passed. I do not remember any representative of the United Railroads being there; I don't remember of any one other than Mr. Huef who claimed to have represented the United Railroads speaking to us in the matter.----- (245)

I do not recall meeting Mr. Ford before the final passage of the ordinance but it is possible I may have met him. I met Calhoun at Indianapolis in the car barn a short time after the fire and before the passage of the ordinance. Huef, Adams, Phillips, Coleman and several other persons were there. I did not meet Calhoun on any other occasion. I was introduced to him there I think by Huef but I could not be positive and it was. I believe I went there with Huef. I think we were passing the car barn and he suggested that we go in and get some lunch. Calhoun did not say anything to me about the matter of the trrolley.----- (246-47)

I cannot be positive as to the date when the Mayor gave permits to erect telegraph trrolley wires, I think it was just a very few days subsequent to the fire; at the time the ordinance was introduced I have to admit that traffic was partly removed.----- (248)

I do not know anything about when prepared the ordinance.----- (249)  
Mr. Huef came to my office when I was acting mayor and asked if Huef was at my office and I told him it had been said.



that he had a note for Huef and that he had called Mr. Ford's office and he was not there and that the note was from Mr. Ford, and he asked me if I could deliver it to Huef and I told him that I would endeavor to do so; took the note addressed to Huef. I endeavored to find Huef but failed, and then thinking the communication might be of importance I took it to Ford at the United Railroads office on Frederick Street; I cannot say if anybody was in the room with Ford when I got in there and I told Ford that I had this note; that I had been unable to deliver it to Huef and I thought it was perhaps important and therefore brought it to him and he said in reply that it was not of much consequence and tore the note open and handed it to me and I glanced over it; it was a typewritten memorandum, the main substance of it being that the Grand Jury was likely to, was about to take up the trolley matter for investigation; that the prosecution had not made much headway and that they would probably be laying some traps for supervisors, something of that kind. It was not signed to my recollection, it was not signed by Ford. If it had been I would have remembered it. I do not think it was addressed to any one, I think it was just a memorandum. I made a shorthand memorandum of the contents and if I remember correctly I handed the memorandum back to Ford. I told Ford that I would deliver the message to Mr. Huef and he said something about feeling kindly toward the administration; I went to Mr. Huef with it and read the shorthand memorandum to Huef and he said "all right". It could not have been over a day that I had that talk with Ford that I read the memorandum to Huef as I was seeing Huef quite frequently at that time and I spoke to him about it the first time that I saw him afterwards. When Ford opened this note and showed it to me he said that it was of no importance and that I might read it. The envelope was addressed to Mr. Huef and according to my recollection it was addressed with the pen. And when Ford handed it over to me and said it was of no consequence and that I could read it I did read it and upon reading it I think that Ford said that it was information sent to him by somebody, whether a friend or an employee or when it was I do not remember. It is my best recollection that he said that that memorandum was sent to him by a friend. I think I handed it back to Ford and what he did with it I do not remember, he may have thrown it away or he may not. ----- (247-55)

That purported interview is a correct statement of my position on the trolley after the fire uninflected by any financial consideration at all. It is incorrect, however, in stating there that my views had undergone a radical change; as I stated a while ago and always stated that I told Mr. Huef at the time he spoke to me first that I was in favor personally of the trolley system. I would have voted for it in my event. I found no opposition to it. I heard no rumor of the board expressing any opposition to it; the railroad properties were pretty well gone to pieces, everybody was anxious to have transportation resumed and the general sentiment was in favor of it and I believe there were numerous petitions presented at that time in its favor and numerous communications ----- (248-63)

I did say before the Grand Jury: "I said to one or two of the members of the board, I do not remember which, I think Mr. Wilson was one of them, it was that I spoke to, sent word to the other members of the board," but I do not say that at this time. My statement there was of a general character; I was not asked as to any particular ones; if I had been, undoubtedly it would have come to my mind. I do know that if it is in issue in this particular case that I talked to Mr. Phillips (249)







I did testify at the last trial as you have just read page 341 thereof to the effect that I could not say which one of the supervisors I spoke to on the trolley matter, viz., viz., and I believe that testimony is repeated correctly; and as I had been asked definitely then about Mr. Phillips' memory of the circumstances would have been recalled to my mind and I would have answered you then as I do now; however, I cannot say as to that because I was not asked about Mr. Phillips at that time or if I had been asked about any individual member of that time I should have been enabled to answer properly as to whether I remembered talking with them; but when you make a general question as to which one, it is difficult to answer, for instance if you were to ask me to name over the members of the Board I did fail to recall names or even of them. Frequently I have had that difficulty. I do realize that in that last case it was a matter whether or not I spoke to Mr. Wilson about it and I have said that I know that I did speak to Wilson about it. (100-7)

I could not say exactly how long before the passage of the ordinance my conversation with Phillips took place but I can only fix it from the circumstances that the resolution was to be passed. Just a short time before the ordinance was passed in 1905, I think probably a week before, and the conversation therefore must have taken place during that week. The circumstances that I talked to in court hall were mentioned though I did not recall him yesterday, and Mr. Wilson I spoke to about the matter several times. Anderson had evidently talked to the matter from some other source. (100-8)

I have a distinct recollection of the substance of the first conversation that I had with Wilson on the trolley and it was substantially that he thought he could go with him to secure enough money from the trolley people to allow each member of the Board \$4,000 each by all. (101)

The statement that that made was that he would not go he would secure from the trolley or get from the people enough to allow each member of the Board \$4,000. I am I did give each member of the Board except Wilson \$4,000 when in installment of \$1,000 each, I remember that distinctly, all except Mr. and Wilson. I think my recollection was fairly good back in 1905 but as to whether it is better than that would be a matter that it would be hard for me to pass on. (101-2)

I do not remember giving the testimony as it is given in the transcript of the proceedings there of the Grand Jury where Henry asked me when I paid the \$4,000 out of the first payment and I said that he could get that from this testimony better than mine, etc., etc., but I think I gave that in court and it simply shows that at the time I was asked that I was uncertain as to whether each one of them had received \$4,000 in cash or payment, and thinking the matter over I am certain they all received \$4,000. There is no doubt if the matter was under consideration during toward the year and I was asked about matters that do not come to my mind now and they recalled my memory during the next two years I would undoubtedly recall that but that I do now if the matter were not called to my attention now. It is true that matter was called to my attention before the Grand Jury but that was a general question, as to all of the members and you must remember that I was being questioned at that time as to all circumstances that had taken place in the Board in 1905 and was given to the Grand Jury by me and it is hardly possible that I did not recollect at that time that I had given all of them one-half each of the first \$4,000. (101-3)



There was no significance whatever attached to the car barn luncheon.------(304)

I suppose I may fairly say that I had considerable influence with the members of the board but as to being the leader, there were a number of members in the board that were quite active. I presided generally in the absence of the Mayor. I had been a supervisor before.------(308-9)

I remember very distinctly where I received the first half of the trolley money from Ruef and I am quite positive that as to the final payment on account of the trolley that it was given to me at Ruef's office but I am not positive whether it was at his office on Pine Street or on Bush.---(309)

I think it was the first payment that I made to Lonergan in the trolley that the discrepancy of \$500. occurred. The second payment to Lonergan was made at Mowry's hall and the envelope was placed among some papers in the flap of his pocket book and then later on the steps of the Hibernia Bank I recalled it to him. It was the first payment to him and not the last that was \$500. short. The Hibernia Bank transaction was in regard to the second payment and not to the first.(311-6)

I would not be positive where I paid Nicholas both payments; one payment I gave to Nicholas at Mowry Hall and the place of the other payment I could not say positively.------(317)

I base my judgment of the time when the payments were made about the time when I received the money from Ruef. The circumstance of Coffey going East and coming back about the latter part of July is the only circumstance outside of my own general judgment on the proposition that helps me fix that time.------(318)

By the latter part of July, I mean somewhere about from the 25th to the 30th. I was a short time after that only until I paid the others so that I show I fixed it about the first of August but I could not be positive.------(318)

At the time I gave Coffey the \$2,000. when he was departing for the East in July my recollection is that I had received a portion of the \$45,000 from Ruef but not enough to make all of the payments. I think I started to make the payments immediately receiving the sum sufficient to enable me to make one-half payment to all of the members that had been spoken to about the matter------(342)

#### IMMUNITY.

I met Spreckles in the Presidio and made an arrangement with him whereby I got immunity. I think I met him there three times inside the Presidio gates. I selected that spot because it gave the opportunity of having a conversation which would be unnoticed. And I have not been indicted and I have not been prosecuted and I still have all of the money that I have not spent. I have it in the California Safe Deposit vault and in the First National Bank vault, between 30 and 35 thousand dollars------(269-75)

I believe it was Owens suggested that Spreckles would be a good man to talk to about the matter and I agreed with him. I do not know if Owens came to me expressly for the purpose of telling me to see Spreckles. I think his purpose was to talk over the predicament in which Boxton found himself and in the course of that conversation he suggested



[illegible]



Spreckles as the man. I do not know that Spreckles sent Owens to me and Owens did not tell me that he had seen Spreckles before he saw me but it may be that he did. What Spreckles said to me at the Presidio was that the Prosecution, him self, particularly, had no feeling of vindictiveness toward the members of the board nor Ruef with regard to these matters and that in his judgment the important thing was to strike at the corporations the selves who were responsible in referring these inducements to political bosses and officials and for that reason that he felt they should endeavor to reach those who were the wealthier persons who were connected with the transaction, etc. You might state it that way that he stated that the public service corporations were really the ones he was after. Mr. Spreckles stated that there was no vindictiveness on his part towards Ruef and that he was satisfied that the Prosecution would grant the same concessions to Ruef if he would live up to the conditions and tell the truth about the transactions. I think Spreckles said at the same time that he did not think that he had any vindictiveness towards Ruef and that he did not think that Langdon had. -----(E77-81)

It is difficult for me to remember whether or not I had any talk with Langdon or Hency about my immunity before I testified but I think that something was said about it at that time; it may have been after the statement was given but I doubt if the statement was taken and we separated without something being said on the subject of immunity but whether it was before or after I do not remember; it was not discussed at length. I took Mr. Spreckles for it and relied upon him. -----(222)

After the immunity proposition was made at the presidio which included Ruef I saw Ruef shortly afterward at the St. Francis Hotel and I think I went there of my own volition, and I take it for granted that I got permission and I think that was probably about a week after we had made our arrangements at the Gladstone. I had seen Ruef probably a couple of weeks before that. It was some time in the early part of March that I saw Spreckles at the Presidio and I think it was probably a week afterwards that I went with him before the Grand Jury. -----(223 & 2)

I do not remember that I met Spreckles at any place besides the Presidio before the immunity matter was settled. I went before the Grand Jury about a week after. I saw Spreckles I think on three occasions and there was an interval of a couple of days between each meeting. -----(223-3)

When I got the proposition from Spreckles at the presidio I presented it to the board as quickly as I could got the members together, and there was some discussion and it was thereupon unanimously voted to accept it and I defused it to Spreckles. First there were some matters to be adjusted and I went back to Spreckles again after talking with the members and talked it over further with him once or twice and then reported back to the board the reply to those suggestions and finally the board voted unanimously to accept it and I was told to see Spreckles and tell him so, and I did. Nicholas' indictment on the Furniture deal was one of the special matters to be adjusted; there was not any other as far as registrations were concerned, that was not the foundation for any agreement for immunity at all that the members should resign. The immunity was put in writing. -----



Owens also suggested Backe's House as a place of meeting and he also suggested at the Presidio, by the gate there. Owens said he represented Ixtos; Owens said Ixtos had been trapped and that he was convinced others had made statements to the prosecution and that he thought Ixtos would be convicted and that Backe didn't want to make a statement without giving the rest of the board an opportunity to do as themselves and secure immunity such as had been extended to him, then he suggested that it would be wise for me to consult with somebody in connection with the prosecution and said that he thought Spreckles would be the one to talk to; and I agreed with him and the appointments or meetings with Spreckles followed. -----(22-23)

Just Spreckles said to me at our first meeting was that he had no feeling of vindictiveness against the board or any of the officials or staff; that he was not actuated by vindictiveness at all and that his desire was to see these in control of the public service corporations who had been irregularly dealing and having illegal transactions with the board punished so as to have a permanent good effect in preventing such things; and he further said that he was satisfied from conversations with the District Attorney and Henry that if the board would make a truthful statement of its transaction he was satisfied they would be granted immunity. I had never met Spreckles before. There was no transaction referred to by Spreckles and I remember correctly the expression that Spreckles used was transactions with the public utility corporation, all of them. I met Langdon and Haley at the Gladstone before I made my statement and had some conversation with them. I do not remember any formal discussion of immunity with Langdon or Henry at the Gladstone; my recollection is that the proposition of an immunity contract was simply presuming as settled and was spoken of as a matter that was understood. I think that and I talked there about the drawing of the contract and I asked Haley if the contract had been signed and he said not yet but that he would see that they were drawn up and signed by Langdon and himself and by Owens representing the supervisors and I think also by Burns, whether Spreckles was to sign it or not I am not clear but that my own desire was that he should also sign it. My best recollection is that the caucus of the board at which it was arranged that they would accept Spreckles proposition was on a Saturday morning and that we went up to the Gladstone in the afternoon of the same day. We did not go to the Gladstone in a body but a couple at a time and what I said to any of them what sort of statement he was to make was that I told all of them that they were to tell the truth. There was something said by some of the members concerning the truth of the statement they were to make and it was in response to that that I told them they were to tell the whole truth about the transaction and that each member knew what the facts were concerning himself and that there was no necessity for discussing it. I think Spreckles said that he thought if the supervisors would give a good administration for the remainder of their term might accomplish a good deal for the city and redeem themselves but there was no understanding that the board should resign and no positive agreement that they should remain in office. -----(23-24)







TESTIMONY OF JEREMY GALLAGHER AT THE THIRD BOEY TRIAL (612)



TRILLER.

Prior to the introduction of the overhead trolley ordinance of May 14th 1904 and after the fire I had several conversations with Huff on the subject.-----(146-7)

The first of those conversations was probably three or four days, at any rate a week after the fire had been extinguished, and was upon the street, and that conversation was that Huff stated that the United Railroads desired to get the overhead trolley permit, and that they still desired to get it; he had spoken to me about the matter before the fire, just a few days before the fire.(147 & 8)

In the conversation with Huff before the fire what he said was that the United Railroads wanted to secure a permit to change their system from cable to electric trolley and he asked me to see the members and ascertain how much money it would take to secure that permit, to have the permit passed by the Board and I told him I would speak to them; but I had not talked with them about it up to the time of the fire.----- (149)

I had no other conversation with Huff about the trolley before the fire to my recollection.----- (149)

It was the first conversation with Huff after the fire he wanted me to speak to the members of the Board; he said he wanted to see whether or not the matter could be put through, what it would cost, and stated that - well, I am not positive as to whether he mentioned the amount that should be allowed at that first conversation or at a subsequent one, but either at that first conversation or at one on the day following.----- (150)

My first conversation with Huff after the fire in which he mentioned money in relation to the trolley ordinance was within a week after the fire and what he said on that occasion was that he could allow \$4,000 each to the members of the Board in the trolley matter and he asked me to see whether or not that would be satisfactory to the Board and let him know. I made some inquiries of the members of the Board. I told him I would see and let him know. Nothing was said at that conversation as to my own compensation.----- (151)

Just I did following that conversation just mentioned between myself and Huff was that I spoke to some of the members of the Board about the matter and then reported to Huff that I thought the permit would be passed by the Board - that the proposition he made would be an satisfactory to the members, or rather not satisfactory but would be acceptable to the Board.----- (151-2)

Up to the time when I made this report to Huff the matter had not come up in the Board by way of bill or ordinance.----- (152)

Q. Now Mr. Gallagher in what supervisors did you speak? A. I spoke to Mr. Wilcox, to Mr. Weston, Mr. Callahan; I am not certain whether I spoke to Mr. Coleman before reporting to Huff or not, but I think I did, as he was one of the active members of the Board; I spoke to





several at any rate. Mr. Wilson I requested to speak to some of the members. I then reported to Mr. Ruel. (112)

What Ruel said in response to that report was that he would attend to the matter, would secure the form of ordinance and would see that it was sent down to the Board.---(113)

I hope that I had one conversation and I think two with Coleman after my conversation with Ruel after the fire and before the matter came up in the Board; the one I distinctly recollect was at Lewry's Hall and was shortly before the ordinance was introduced and I told him that I expected the trustees proposition to come up shortly and I asked him how he felt about the matter and he said he was in favor of it; I said to him: "You understand that there will be \$1,000 payable the days in case it was passed." and he said "Yes," and I said "That will be all right, will it?" and he said "Yes."----- (113 & 4)

In one of the conversations that I had with Ruel about the matter after the fire and before the matter came up in the Board on the 14th of May it was agreed between us that my compensation should be - I say "compensation", that I should receive the amount of \$15,000 and that Wilson should receive \$10,000. You say it was agreed; what if any words were said between Ruel and yourself? A. Mr. Ruel stated that I would receive \$15,000 and asked me if that would be all right and I said that it would; and I said to him then that Mr. Wilson had been a good deal of service in the matter and that he was an influential member and that he ought to receive an additional amount and after some discussion of the matter it was finally stated by Ruel that Wilson should receive \$10,000.----- (114)

I was present when the ordinance came up for passage to print on the 14th of May, 1906. I was seeing Ruel almost every day, sometimes two or three days up to that time; I don't remember my conversation with him concerning the 14th of the ordinance; I think I have already stated that he said he would see that the necessary papers were prepared and that he would have them sent to the Board room.----- (115 & 16)

I was present on the 14th of May at the Board room shortly before the usual time for the meeting but I did not see the ordinance there, but I inquired if such an ordinance had been received and was told that it was not there and I went from there to Ruel's office for the purpose of ascertaining the cause of the delay in sending down the proposed trustee ordinance, but I did not see Ruel there and I went back to the meeting room of the Board and got there shortly after the meeting had adjourned.----- (116 & 17)

I received \$31,000 from Ruel. I received the first payment about the end of August 1906 and that last payment was in bills of large denomination; you ask me how large and I say \$50. and \$100. bills; there may have been some other denominations, but my recollection is that it was made up almost entirely of 50 and 100 dollar bills. I think one hundred dollar bills predominated. I think the last amount I received from Ruel in the trustee matter was \$1,000.; It was either 40 or 45,000; the payment was divided into two installments, one of 45,000 and the other 40,000 and my best recollection is that the first installment was 45,000 and the last was 40,000; I am quite certain of that.----- (117)

The first installment was received by me as I remember it in two or three payments aggregating 40,000. I cannot



give you the exact amount of those payments which altogether aggregated \$45,000 but I know that the installments were divided up into either two or three, I think three payments and my recollection is that the last payment I received on account of that installment was the larger portion of it. I received the last payment of that first installment about the latter part of July 1906; I cannot fix the day definitely, but I think it was within a very few days of the end of July. The preceding payments were made probably three weeks previously but I would not attempt to fix it definitely. There were three payments constituting the first installment were in bills of small denomination; by bills of small denomination I mean one's, two's, five's, ten's twenty's dollars; there may have been a few fifty dollar bills but very few; the great bulk of that installment was made up of the bills of smaller denominations.

(104 & 5)

What Mr. Hoff said to mean making those payments was that it was the money for the trolley proposition for the same term of the ward.----- (105)

From the time of the first passage of the ordinance on June 15th up to the time when I received the first payment from Hoff I had frequent conversations with him, almost daily and these matters would come up for discussion but there was no conversation about this ordinance particularly. I spoke to him about the delay in the matter of the payments of the money to the members of the Board during that time. I told him there was considerable uneasiness on the part of the members concerning the delay and he gave me a reason for it the difficulty of getting currency at that time. (106)

I paid the sum of \$5,000 to each of the supervisors with the exception of Ben and with the exception of Wilson and I paid Wilson \$10,000 and I retained \$10,000 for myself. The payments to the members of the Board were made in two payments, two installments of \$5,000 each, so in those who received \$5,000 in total. I made the first payment of \$5,000 to the members about the latter part of July or the first part of August and I think there were two or three days passed while I was making the payments, that is I did not pay all of them on the one day. I remember that Becklund wanted his in advance of the others and I let him have it, probably a week before the others. My recollection is that Coffey got his first \$5,000 in advance of the others. I paid the first \$5,000 to those various supervisors and of the first installment money received from Hoff. ----- (107 & 8)

I made the second payment to the supervisors about the latter part of August 1906 and I made that payment out of the last installment of money received from Hoff.----- (108)

I was not exact to see that just the very same money was sent through my hands to the supervisors. Q. Well what did you mean by saying that the money you paid the supervisors was the same money you got from Mr. Hoff? A. I stated that it was out of that amount that it was paid, that is my recollection of it. Your question would imply as to whether I had made some particular point in saying that out of that particular thing. I did not. I simply said it was a matter of course. Q. Well what I want to get at is whether or not you mixed the money you got from Hoff on the conditions you have described in with other money, and then paid out the result of the mixture to the supervisors? A. I have no recollection of mixing my money with it. My recollection is that I have never stated that I paid the money to the supervisors.







Abott called at my office while I was not there and inquired if I knew where he could find Ruel and I told him that I did not and he said that he had been looking for him but without success and asked me if I would deliver a note for him from Ruel and I told him I would if I saw him and I took the note from Abott and tried to find Ruel but could not do so; and then I called to see Lord as I thought perhaps it might be an important matter and I saw Lord at his office at the Union Railroad's office at 140 and 142 Broadway and I told Lord I had been unable to deliver the note to Ruel and thought perhaps it might be a very important matter and that I thought it well to let him know what steps he pleased concerning the delivery of it and he stated that it was not an important matter, of any particular consequence; and he said that I might open it or he told me to open it or something of that sort; whereupon I did at his request that I opened it, and he said "You may read it"; and I found it was just a memorandum, unsigned according to my recollection, and typewritten; it was a typewritten memorandum simply saying that in the Grand Jury investigation nothing definite had developed and that attempts would be made to get the memorandums; it did not have reference to any particular matter that I remember.----- (169 A 71)

(Here the district attorney attempts to call the witness' attention to his testimony at the former trial on the trial of Keener, 1907, and the witness interrupts to say:)

I don't know that my recollection was fresher at that time than now; I have stated here that no investigation by the Grand Jury had not developed anything definite and that was the substance of this communication and I don't see any conflict between that and my testimony formerly. I understood your question to be directed towards this proposition that is under investigation.

Mr. Clark: Yes, and I want to know, what, if anything was said about the trolley matter? A. I have never at any time stated positively the contents of that note; I have always stated it was impossible for me to give it positively. I am simply giving the best of my recollection of the substance of it. If I stated at that time, if the testimony states that I mentioned the trolley matter it may have been simply because the connection, the connection of the Union Railroad would be with the trolley matter and that would naturally come to my mind, but to testify positively that the word "trolley" was mentioned in there I could not say that, and my recollection of the substance of it is that it was after the Grand Jury investigation, and I understood that to refer to the trolley matter, was whether it was in there, or not, - I would not be willing to say positively that the word "trolley" was mentioned in there but yet it might have been. I know that was the substance of the note, that an investigation had been taken up by the Grand Jury and that no necessary had been made with it as anything definite had developed from it; the main thing that engaged my attention was the statement that that steps would be taken to get memorandums. As to the remainder of it I could not say. And is any question if you recollect as to what the Grand Jury was about in 1907? I have stated that the Grand Jury were proceeding or about to proceed with their investigations and that nothing definite had developed up to that time, at least none as that is the note. I could not remember the exact wording.



I could not say positively as to the matter that the note said the Grand Jury was to take up if anything. I could not say positively that the word "trolley" was mentioned there in the note. In the testimony before the mention of the word "trolley" was the use of my own word. I cannot say that that word was used in the note, but it was simply that the Grand Jury were proceeding with their investigations. That is my recollection of it at this time.----- (172-8)

What the defendant said to me about the message at that time was that the message had been sent to him by some friend and that he wanted Huef to get word of it so that he would be informed as to it so I took a memorandum of it in shorthand as I recollect it and handed the note back to Lord; I don't know whether he put it away or whether he destroyed it, but I took the memorandum to Huef and read it to him. It was some time in the latter part of November, 1906 that that incident occurred.----- (175-26)

#### CRUISE EXAMINATION.

When I showed the memorandum to Lord I think he told me to open it; at that time it was in a sealed envelope. I was at that time acting lawyer and chairman of the finance committee. I don't remember any business Abbott and I had there outside of that, he asked me to let Huef have the note. When I told Lord that I thought perhaps it was of importance he said to me, that he didn't think it was, and that I might open it and I then opened it and read it aloud to him and I am quite certain that the word "trolley" was not there as I stated in my former testimony. I have no recollection, of that but my best recollection is that the language used is "The United Railroads" that, that instead of "trolley". When my attention was called to that language it did not call to mind the presence of the word "trolley" in that note and in thinking the matter over I remember now that the words used were "The charges concerning the United Railroads franchise." Q. (Intg.) I have not asked you anything about that? A. Yes I am explaining that to you because I am aware that you suggested it first without giving me the opportunity to reply, that I had given my best recollection of the contents of the note and did not give me an opportunity to explain to you that my present view is that the word "trolley" was not used, but that the other expression was used. That is the reason why I call your attention to that now. Q. Are you aware as a lawyer, that I did not ask you a word as to what were the contents of that memorandum, and that I probably had in mind being a lawyer myself, that some little time had elapsed since the noon recess, and that you had had an opportunity to talk it over? A. No that is not the ground upon which my statement is made at all. I am why I volunteered it about the contents of the paper when you did not ask anything about it is because you refer to it as I have already referred to it. I seized the opportunity because it was apparent that you were endeavoring to shut the question out. I walked down the street with O'Quinn at the recess.----- (176-86)

The first time that Huef spoke to me about the trolley was a short time before the earthquake of 1906, I could not fix it exactly but I don't think it was more than a week before the fire.----- (188 & 7)

It would be difficult for me to say when my first talk was with Huef concerning the trolley franchise. My best recollection is that it was within not more than a week







previous to the fire; it may not have been as much as a week but I am not quite certain it was not more than that. The substance of that talk with him was that he requested me to interview the members of the Board to ascertain what amount of money would be required to have the trolley permit granted and I told him I would see the members about. I think he said in that conversation that the United Railroads wanted it and I believe he did ask my opinion about the possibility of passing it.----- (100 - 2)

It is true that in substance that conversation was that he asked me what I thought of the proposition of the overhead trolley that was being asked for by the United Railroads Co. and I told him that I personally favored it. He asked if I thought it would be passed by the Board and I told him that I thought it would be and that is the substance of it. Q. And did he then ask you what amount would be necessary? A. He asked me when to interview the members of the Board and let him know what amount of money it would take to have it passed and I told him I would but I did not do it, not at that time, not before the fire.----- (100 - 3)

I think it was within a week after the fire that he first spoke to me again about it; it is impossible for me to give the exact date and I have no way of determining; it is impossible for me to give the exact conversation on this last mentioned occasion but the substance of it was that he stated United Railroads still wanted to get the trolley permit and asked him to speak to the members of the Board about the matter; that is about the substance of it; I think either in that conversation or a later one he mentioned the amount that he would allow the Board. It is my recollection that he said that the Company still wanted it. I don't remember whether I ever used that expression "until" on any of the former trials or before the Grand Jury.----- (100 - 4)

In answer to your question whether I have ever testified that West did not say anything at all in that first conversation after the fire about allowing \$4,000, I say as I have stated to you already, I do not positive as to whether the matter was mentioned in that first conversation or in a subsequent one.----- (100 - 5)

Didn't you testify on the trial of Cohen, as long after the fire West told you that the Company wanted a Defendant and asked you to find out about, or if you had found out; that you said "o" and he asked you then to find out about it and that you spoke to some of them and afterwards saw West and said that you were satisfied it would pass and asked him what amount he would allow? Didn't you testify to that? A. Yes, sir, that is about substantially what I have testified to here.----- (104)

West did tell me in that conversation shortly after the fire to see the members of the Board and I did say that I would.----- (105)

Was this Cohen? A. I saw Dr. Wilson, Dr. Coleman, Dr. Burton, as I have stated to you, I don't know to be some of the others.----- (106)

In answer to your question as to whether Dr. Wilson was on that on the Phillips trial I say that I think that I stated I had seen several members of the Board personally and that Dr. Wilson had spoke to several of them and the ones that I then mentioned I think were that I mentioned exactly the ones that I have mentioned here, Dr. Coleman, Dr. Phillips -- I think I spoke, I am quite sure I spoke



to Mr. Lannerson. I cannot of course recall speaking to each particular one but I do remember speaking to those. What ones do you now say you spoke to? A. I have mentioned Miss, Mr. Moore. (118 & 6)

I may have testified in the Phillips case that I spoke to Coleman, I remember speaking to Coleman; I don't remember whether I ever testified before that I spoke to Norton.----- (19C & 7)

[illegible]

I am a - I told I gave that nothing in the language  
case of your bill which you will be very satisfied with  
that I am not I think I made a number of the changes  
about it, but that which once I could not write positively  
but that I never did speak I Wilson about it, who, who,  
but that you best remember, Dr. Jones, that when a man is asked  
"What other matters are in you speak to about it" almost  
necessarily included since it is a very difficult thing to  
have all the things which have spoken to as my suggestions.  
I am not, however, if I have ever contacted before that I  
talked with Jones, ----- (100-4)

[illegible]

That I said a Tolman was not the president of the  
organization for the following reasons will come up and that if  
you said "it" and he said in substance that he  
was in fact of it; and I think that there would be  
a lot of it, and to his, and to his, and to his  
organization. I am not sure of the time the organization  
had to be made known to the public and that it was  
not a secret organization at the time it was made known.

[illegible]

\*\*\*\*\*

The above subject of discussion is page 1111 of the report of the Langston trial where I mention an up conversation with one about the trailer and a car in respect to that, with it not of the trailer being a distinction some between, Jacksonville concerning, the prohibition of the activity and the discussion of the various members of the membership of the trailer group; the quality of the trailer group has been discussed in the other air show





time and undoubtedly was mentioned and discussed between  
Maef and myself; but the conversation, with relation to any  
proposition concerning the Board of Supervisors passing it and  
concerning any compensation or consideration for doing it,  
that was an entirely different matter; and that testimony is  
correct to the effect that the conversations covered a pe-  
riod of possibly several months, commencing some time in  
the month of April, the early part of the month of April,  
1906, shortly before the earthquake and fire; and you see  
that in that Honerigan trial testimony it says "Did Mr. Fuel say any-  
thing to you about granting the permit?" The first conver-  
sation that I had with Fuel after the fire is the one I  
have already outlined here; the conversation though con-  
cerning my proposition as to payment to the Board, a con-  
sideration for passing such permit, that occurred, as I have  
told you already, before the earthquake and fire. The other  
conversations referred to in that answer were general dis-  
cussions concerning the advisability of it. I am still un-  
certain whether in the first conversation after the fire  
Fuel told me that he could allow about 10,000 or whether in  
that conversation he said anything about that, and that sub-  
sequently in another conversation I asked him what he would  
allow and he said about 10,000; that being a uncertain an-  
swer.----- (11-13)

Now after we have seen what that latter case or cases,  
and possibly oftener I ask you again now which one of the  
witnesses you personally saw and made proposition or sim-  
ilar to the proposition you made to Maefan previous to the  
introduction of the ordinance. One of the names now  
according to your best recollection of the ones you in fact  
saw? Well, I recall speaking to Wilson; and speaking to  
Phillips, and to Maef, and to Maef; as to Maef I am quite certain  
but I don't wish to be positive about it, but I am  
quite certain I spoke to Maef about it. I think also  
I spoke to Maef, although Mr. Wilson was to speak to Maef--  
I am not positive about Maef but I think so. I have you  
outlined the list? I think I spoke to Maef about  
it. I have that complete the list? I think I think  
consider the list, with the addition of course of Mr.  
Collins.----- (11-16)

I do not remember lost in my disclosure statement it shows  
that I said that I never said I talked with Maef about  
the building business at all until after the fire, and  
if it appears there it is no error.----- (11-17)

The first dollar payment was made to me by Fuel some-  
time after the fire. I don't know I cannot see the exact date.----- (11-18)

I mentioned the responsibility of the ordinance in that case  
as being in writing for the responsibility was that it should be  
passed simply as a formality in every way possible of the  
legal building.----- (11-19)

I got the first dollar money the Fuel about the first  
part of July or it may have been in the latter part of June,  
I could not say with a great deal of certainty, or  
or some after the first passage of the ordinance of the  
the list; I cannot give you the exact amount of that time  
because I do not remember the exact properties of the first  
installment that was given to me on the first occasion  
when I got money from him for that purpose. It was divided  
up into two or three payments and the exact amount of each  
I cannot state; I think it was somewhere about 10 or 12  
thousand dollars, probably less than 12 and not less



the ten; I kept possession of it and finally I put it in the safe deposit box as soon as I conveniently could.----- (123)

At the time I got the first of this trolley money in that safe deposit vault there was there already probably 15 or 20 thousand dollars and that safe was about 22,000 that I then had there.----- (124)

The next payment that I got from West on the trolley I think was about a week or two after the first one. It was probably about the 10th or 15th of July but I don't put any positively within a week and I cannot say positively how much that was but I think it was a smaller amount than the first one and I should imagine it was about 10,000 and I put it in the same place; in the mean time I had not given any money out from that safe; or that same in the amount of 45 or 45 thousand dollars there at that time. (125 & 6)

I got the last and final payment of the first three on the trolley from West about the latter part of July or the first of August and the amount of that would be somewhere about 10,000 and I added that to the money in the same place and that made the neighborhood of 55,000; in the morning I had paid nothing out of that money for any purpose and I remember.----- (126)

A little later the payment to my mother on the trolley matter came and was of July or the first part of August and I then paid her half.----- (127)

About the end of July there was about 16,000 in deposited in that safe; that was not divided; there was no payment about leaving that amount. I do know in fact that without any transfer or payment I was able to identify the particular cash in that safe that came from particular sources; I do know that before the end of July I would have been able to identify the first payment from the second; and now I was able to identify almost one of the payments from the next place where money was because they were kept separate in separate bundles; no cash at that time; the bundles as I put them in there I know were not the divided but I had myself.----- (127 & 8)

The remembrance of my bill in the first payment which West sent to me in the trolley matter and which amounted 10,000 was once, two, five, ten and twenty, and there may have been a few of some other denominations, but not enough to amount to anything; there were the principal ones; mixed bills.----- (128 & 9)

I do not say and do not want to say that none of the other payments of currency that I had received in that safe in my safe at the time I commenced paying out in the trolley matter were in mixed bills. I do not think that the bills I received went out in the trolley matter that were not a very large proportion of the money that was in there since the same as these three payments that I had; I think the larger proportion of money there was in larger bills, I think that the money I received in the telephone matter was in large bills and they constituted the largest proportion of it. After I then had three more payments of currency aggregating 45,000 I do not know in which there was then upwards of 100,000 I was in touch at Westville identifying any of these other payments of bills were the appearance of the packages; my recollection is that as I put the money away I opened the packages and put the money together.----- (129)

7. When did you next receive any money from West on





to be advised. I would not want the three experiments to be held  
for 1904. I would like one of them, 1900. The old  
one was held only once. I would like to have the  
one in the future, that is within I think about 1900  
or there. It was described in the various reports of the  
1900. ....



THIRTY.

I first met Dr. and Mrs. Spradley in these matters some time in the first part of March and after I had the conversation with Owens in which he informed me of the tragedy of some members of the group; I don't think I could be justified in saying that I employed Owens to represent all the members except those whom he represented already. He was representing Owen and stated that he would represent the other members and I agreed to them about it and there was no objection to that. I would not be willing to say that I did not ask Owens to represent the others but my recollection is in the contrary. I know Mr. Owens that he said that I saw Mr. Spradley and not I did not tell Dr. Owens that I wanted to see Spradley, that is my recollection of it. Owens made the appointment with Spradley for me to meet him. While time I went to see Spradley at the Presidio I had made no confession and was not even trapped. I met Spradley at the Presidio perhaps twice or four times. Those meetings were always inside the Presidio walls on First Ave.; it was secluded there; we were on the roadway walking back and forth. It seems to your question that I got the impression that I had to see Spradley to get out of this scrape, it was suggested by Owens that I talk with some of those who were connected with what was known as the Craft Organization and he mentioned over the years of those who were connected with it and suggested Mr. Spradley and I agreed with him that Spradley was the one that I ought to see for me to talk with. I referred to this with him before then with the District attorney but I believe that the father and the son would be able





make whatever agreement should be entered into. I did not know when I first met Spreckels there that Sexton had made any statement, my understanding was that he had not yet made his statement. I thought at that time that Longergan and Walsh had made statements and it was Evans who told me that, and I think Sexton told me that he was satisfied that Longergan and Walsh had made their statements. Sexton told me he was verbally certain that they had. I think it was in the first conversation with Spreckels that he said he had no vindictiveness against the supervisors or against Chief; that is what he said; I believe Schmidt was mentioned in the same way but I am not sure. I think the first statement that was made at the Presidio was by myself and what I said was that I understood that some of the supervisors had been trapped, not into difficulties or some such expression and I said I was there to talk with him about it and see what proposition he had to make. There was nothing said there then about their retaining the money they had received under any cooperation that I remember. There was no conclusion of the matter there and that in that first conversation with Spreckels; he stated that he was not actuated by vindictiveness against the Board and that if the members could make a full and truthful statement of their dealings with various public service corporations and give a complete statement of all monies they had received from any of the persons that they had been dealing with he was satisfied that immunity would be granted to them. He did not seem to have the power of doing that, he was there simply representing another, that is known as the trust procedure and I took it of course that whatever suggestion he made would be lived up to by the others but of course it was the district attorney eventually that I looked to for agreement. I. Evans did say about the higher-ups. I. Evans stated that the supervisors or public officials generally would come and he put that the public service corporations are large companies -- using some such expression he put -- would remain permanently. He said further that he anticipated good would result from punishing public officials who were temporarily in office or even political leaders who were temporarily in power. I think he said that he was not actuated by vindictiveness as he had said my understanding was that they had the same opportunity to come and to come through and tell the truth and I think Schmidt's name was mentioned but I am not sure of that.----- (140-87)

I think of second meeting with Spreckels at the Presidio was probably two or three days after our first meeting there. Between those two meetings I called a meeting, or conference of the Board and discussed the matter with them, I said this Spreckels that I would tell the members of the Board together and talk with them about the matter; I called that conference of the Board as quickly as I could get them together probably the same afternoon or the next day after we got that I had our first talk with Spreckels. I could not tell exactly how long it took him to make a statement, but undoubtedly a majority; I had heard at that time that some of them had been changed or had statements and I am not sure that the one attended that meeting, that is Longergan, Walsh and Sexton. At that meeting of the Board I explained to them the interview I had with Spreckels and laid the proposition before them and it was discussed and it was constitutionally with the members of the Board should only full and complete statements and in return should receive immunity for all they had done.



I said "for all they had done" but I had no understanding with Spreckels that the immunity was to cover any other matters than those that the statements were given out on. 3. What were they, what were the ones stated in your conference with Spreckels as to which you should have immunity? 4. Well Mr. Spreckels stated that they were investigating the relations of the public service corporations with the officers of the municipal polity. Some of them were named in that conversation that the immunity should include. The proposition was that the immunity was to cover the matters upon which they were questioned, and nothing outside of that, and those were the public service corporations and the question of the prize fight matter. I told the board at that conference that it was my view that while the matter of the validity of the immunity contract had not been determined in this case, that the district attorney recommending the city would inherently have the power to make an agreement of that kind. It was part of the understanding between me and Spreckels that he should produce or produce that contract of immunity. I was inclined to think that at my first conversation with Spreckels it was with the understanding that that contract of immunity should be in writing and I think that in the first conference with the board the written contract was mentioned. I think it was two or three days after that conference of and agreed that I would look and get Spreckels. It was not determined at that first conference of the board whether or not I would for the board accept Spreckels' proposition. My second meeting with Spreckels was at the same place in the private ground and so I remember it there was some proposition that the members of the board wanted to be certain before determining whether they should accept the proposition or not, and one of those propositions was the proposition of immunity for Nicholas on the furniture matter and another was concerning their tenure of office, as to whether they would be required to resign. As to the retention of the message by resolution is that they were discussed in the confidence of the board and I told them that I thought there would be no question upon that proposition as a matter of law and that there would be no use of taking it up; and I don't think retention of the message was one of the propositions that I went on as to need recall that it; the existing articles as railroad could make another one of the propositions as to which I went to see Spreckels that message line; which was at that conference of the board and the board thought we should not be obligated as railroad employees; there was also that some other other propositions that I was to see Spreckels the second time or but I do not remember now and I don't know that I have mentioned was the important one. -----

I saw Spreckels the second time and I told before all those propositions and they were agreeable to me, he made no objection to that, he said it was the important matter that he was interested in. He said that those propositions were acceptable as far as he was concerned and that he would consult with the municipal and would advise me later. The board had conference after that second meeting with Spreckels. I told before the board that Spreckels said it. That board said with no objection to those matters and I expressed my opinion upon it and it was discussed and was voted to accept it, that is at the first conference when it was determined. Mr. Spreckels was in equal of the board and told me that the propositions were satisfactory and the board





held another conference at which the matter was to be settled definitely yes or not, and we came to a conclusion at that time. I have detailed three meetings with Mr. Spence at the residence and there was no other meeting with him that I remember though it is possible that some might have been such. I did not have a final meeting with Spence at the residence as indeed his that the board accepted the propositions he stated; the understanding was that if the board accepted the proposition they should go to the Division for the purpose of making their statement. The last meeting up of the matter between me and Spence and the board previous to the Division meeting when I was told it was finally determined that Spence was not to be allowed, was about the 17th or 18th of April; it was on the 17th that the members went to the Division afterwards for the purpose of making their statement; that is the final statement of the board was on the day the members went to the Division.-----[end]

Previous to my conference with Spence that I had been asked by Mr. Spence to be with him in preparing his statement and he had said that he would be with me; but I had not been to the Division or request upon which I had been asked to go. I remember that he called at the house and that I refused to have any conversation with him. His call was during the morning of the 17th and I was at home at that time. I did not go to the Division until the 18th or 19th of April. I was at the Division at that time and I was with him at the Division.-----[end]

I went to the meeting at the Division on the day following the final meeting with the board at which we accepted Spence's proposition. Previous to that Division meeting I had not been with Spence at all in relation to his statement. The members did not meet at the Division, except one or two at a time, and I did not go to the Division. It was I who directed the matter and told them they should go at a certain place at a certain time, and that the statement was to be made there and the statement was made there. I had not yet received any written statement and I didn't think any time was set as to when I should get the written statement; it was understood that the statement would be given; and my understanding was that it was to be given at the Division. I never thought that Spence would be at the Division but I had not thought that it would be. At the Division I met Langston, Brown, Davis and Spence. That is the first time I had ever met Spence and that is the first time I met the members of the board in connection with the matter; all the preceding matter had been between Spence and me. By agreement at the Division was made by the members and I was sworn by the members. I thought a meeting would be held and the members would be present and I thought the members would be present and I thought the members would be present. I signed Spence's statement and I did not sign the statement. I was simply sworn to make the statement and I did not read the statement and I signed the statement. I was to use the statement of the members of the statement that I had given. I do not think it would be correctly shown in the record as it is. I do not think it would be correctly shown in the record as it is. I was not present at the Division when any of the others made their statement.



That was about the middle of March 1867. They did not give me the written contract at that time. I spoke to Henry there at the Gladstone about the agreement with Spreckels and just in a few words and gave him an outline of my understanding with Spreckels of the conditions on which we were going to make the statement and he said that was satisfactory and he agreed to it. Mr. Langdon was not there at that time but I think he came in toward the end of the statement. I do not remember Burns saying about it at that time, but I think he came in afterwards I had started my statement. Henry was the one who questioned me, in stating the matter to Henry and taking his approval of the matter that had gone before I felt I was acting as well for the other members. I never got that written contract until a long time after. We did not serve our terms out; public sentiment intervened and it was then suggested that in the interests of the members themselves they had better retire. I think Langdon made that suggestion and I think that some of the members were disgruntled about it and others were anxious to retire.--(185-70)

My recollection is that it was Spreckels suggested that we meet those gentlemen at the Gladstone but I am not positive but I think when I separated from him at the last interview I was told where the members should go in case they accepted the proposition. I probably was not only told the place but also the time. The Gladstone was the residence of Burns. I think my statement was one of the last that was made at the Gladstone and I think at the Grand Jury I was the last to testify. I was testifying under a promise of immunity and always late, excepting complete immunity and protection if my testimony is satisfactory and I feel that that agreement will be carried out. Of course there is always danger of if they feel that I have not kept my contract. I think that if I went on the stand now and said that I was under duress and menace when I made that Gladstone statement, that the prosecution would feel that I had violated my contract and would prosecute.-----(187-1)

In the talk with Owens we discussed where would be a good place to hold the meeting with Spreckels and we talked over several places and finally I think it was Owens who suggested the Presidio and I said that would be a good place to meet and he said all right that he would make the arrangements for the meeting there. I did not fix the time of the meeting with Mr. Owens at that time; I think Owens afterwards told me the time that Spreckels would meet us there and I think the appointment to meet Spreckels at the Presidio for the first time was made by Owens for the next morning.-----(188)

I identify that paper that you show is as the fee immunity contract which was in duplicate, there were two originals and this is one of them.----- (187 et seq.)

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EXHIBIT C - CIVILIAN COUNCIL AT THE FRONT IN THE  
(1944-1945)

The Council of the Front in the  
of the Front, and the Council of the  
of the Front of the Front.



TRAILER.

It is impossible for me to say which ones of the supervisors at the time I told them they would get \$750. in the Parkside, asked me when they would get it. Q. Was it a general thing for you, in making the statement, to make it to almost all of them you spoke to, or was it a personal thing for you to do so, and would the supervisors say "all right", "I will accept, but when am I going to get it", you said "when it is finally awarded to the Parkside people?" A. That would not be said to them unless the question was asked. I don't want you to understand that I made that particular statement to everyone of the board of supervisors. It was not the custom to do that on matters that were pending before the board until after that would come up. I would speak to two or three of them, and those of them that I would meet - the leading members of the board - and they would pass the word along and the matter would be passed along in that way, and they would speak to me about it, and the matter would be discussed once in awhile, but I cannot remember what was said by each member, or what I said to each member, or what each member said to me.

(Morning session, May 9, 1906,-----10

Since the time I spoke concerning the additional \$200 in the Parkside matter were Wilson, Phillips, Coleman and Norton. I requested Wilson to speak for the other members of the board -- all of them -- said to let the boys know about it. Q. Can you explain the coincidence that the first time you spoke about the money to be paid, the \$750, and the second time you spoke concerning the \$200, and every time you were asked about it, each time named the same men? A. Yes, I can explain



















There was no evidence on the trolley matter in the  
previous - older Libel proceeding -- 1888.





EXHIBITS A. REPORTS ON GALLAGHER given at the "RETRIBUTION"  
EXHIBITION -- the case of THE PEOPLE versus HAWK, LAMB. &  
OF THE TOLSON UNIT.

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(The reports of the various exhibits were sent  
collected from page 1.00, and accordingly the  
page information herein are to the exhibitor  
[page of the particular exhibits.]



According to my best recollection, the first conversation I had with Huel on the trolley matter was a short time before the earthquake and fire when he spoke to me about the desire of the railway company, and he then said that he would like me to speak to the members of the board to ascertain about what amount of money would have to be paid in order to get the permit for the United Railroads to change the system from a cable to the overhead trolley system, and I told him I would do so. There was nothing more until after the earthquake and fire. My best recollection is that it would probably be a week after the fire that I first spoke to Huel again on the subject, and he then said that the railroad people still wanted to get that permit, and that he would let me know about what amount would be allowed for it or could be given for it to the supervisors, and I think he asked me to talk with the members of the board, and see how they felt about it.

(Session of Friday July 10, 1908 -----13-14)

That I then did was that I spoke to some of the members of the board about the matter, and I afterwards reported to Huel that I thought the matter could be put through. I had several conversations with Huel about that time on this subject, but I remember one conversation that took place about that time, and Huel then stated that he could get an amount of money that would enable him to allow \$4,000 to each of the members in the United Railroads matter and he asked me to see the members and see if the matter could be put through on that basis, and I told him that I would interview the members and let him know. I did interview a number of the members and afterwards reported to Huel that the matter could be put through on that basis. He then reported to Huel before the trolley matter was passed in print, probably a week previously.

(Session of Friday July 10, 1908 -----15-16)

Q. To what members did you speak about the \$4,000? A. I spoke to Wilson, Coleman, Denton, Phillips, Harrison, Nicholas and I may have spoken to some others, but I cannot recall them just now. That is to the best of my recollection I spoke to those gentlemen. I want to say, Mr. Hancy, in all these matters of sales, the mentioning of the names of the members of the board and an error is likely to creep in here or there, because I was talking to them on so many matters that it is difficult for me to be positive about it. Q. Do you recall whether you spoke to Furey on that or not? A. I am not positive about speaking to -- I think I -- my best recollection is that I did speak to Mr. Furey about it, but I do









until after I got the final payment. It is impossible for me to fix the date of the first payment, but it was probably three or four weeks before the final payment of the first installment. If I am not mistaken, Huof was moving his office about that time. That is shortly after I had received the first payment on account of the first installment. When some little time elapsed, probably three or four weeks, and then I received the remainder of the first installment of \$45,000. I do not remember saying a little while ago that I received the second payment of the first installment two or three days after I got the first payment, but if I did it was under a misapprehension. My best recollection is that there was some two or three weeks between these payments. There was some short period of time between the time when I received it and when it was paid, but just how long elapsed that was I could not say. My best recollection is I paid the money out to the members about the latter part of July or the first part of August on that first installment.

(Session of Friday July 10, 1908-----33-41)

The second payment of the first installment was made to me about the end of August, so I misunderstood the question, I thought your question had reference to the payment of the first installment. According to my best recollection I got the second payment of the first installment probably two or three weeks after the payment of the first half of the first installment.

(Session of Friday July 10, 1908-----4-41)

The second payment of the first installment which Huof made to me in the trolley was in small bills, similar in character to the first payment on the first installment, and the denominations of the second payment of the first installment which Huof made to me were small bills, including \$1., \$5., \$10., \$20. bills, perhaps a few larger, but very few if any. I am not positive about that.

(Session of Friday July 10, 1908-----44)

After I received that second payment of the first installment what I did was to pay that money to the members of the board who were to receive the money from me in the trolley matter, and I paid \$1,000 to each member except Lee and Wilson, and to Wilson I paid \$5,000 and to Lee I gave nothing on that matter; I had told Huof previously that I would not deal with Lee at the time Huof made me the first payment on account of the first installment, and Huof said that he would attend to him himself, and before that Huof had told me that Lee had been doing too much talking.

(Session of Friday July 10, 1908-----44-47.)

The last payment Huof made to me in the trolley matter, was, according to my recollection, \$40,000, and it was in currency of large denominations. I mean mostly \$100. bills, some \$50. The total amount paid to me by Huof on the trolley was \$85,000.

(Session of Friday July 10, 1908-----47-48)

After the last payment to me by Huof of the first installment, at the time when I had enough money to pay half of the amount that was to be given to the members, I said in substance to Huof that the members were complaining about the delay in the matter of the payment in the Ritter Hallroads matter, and we had some talk about it, and finally Huof said to me in substance, "You pay half to the members", and I said I would do so,





and I said it was their idea to write a couple of days, as soon as I could conveniently find the members and give it to them.

(Memorandum of Friday, July 12, 1968-----48)

1. Now by calling them, I've payment, did you see the same financial report which you had received from Mr. Carter in the first meeting? 2. By that recollection is it was the same? 3. In the second payment did you see the same financial report which you received from him in the same meeting? 4. Yes, sir. That is my last recollection of the matter.

(Memorandum of Friday, July 12, 1968-----49)

1. I said the last money which I received from them on the matter is each of the members of the board, with the exception of Mr. and Mrs. Wilson 12,000 each and so Wilson's wife 12,000 and so on, and I retained 11,000 for myself, that is, I retained 11,000 out of the total amount I had received.

(Memorandum of Friday, July 12, 1968-----50)

1. I do not remember my conversation with them before the money was deposited into the office, as to the future activity, etc.

(Memorandum of Friday, July 12, 1968-----51)

1. At the time, some of the board, there was a great deal of discussion about the members as to who should be in the various committees, discussion arising over qualifications, abilities, and what about some of the best qualifications, and it was finally decided to suggest the paper to select the committees.

(Memorandum of Friday, July 12, 1968-----52)

1. Mr. Dr. Williams, did you want to speak to some of the members (the committee), including that you would tell me about? 2. That is my belief on the matter, so when that I did ask them to make a list of the members who were on the matter was to be included, and that is what we did, and that was the matter that would come before the board. 3. Certainly ----- that was not principally in all matters including money, it would be very likely upon matters not including money because they would be taken of more money when the members. 4. It was necessary to tell some members that you were here suggested that to tell the other members, that's that right? 5. Well, that is true of a few of the members, to tell the others, but I have a recollection of that time when I was speaking to a few members about it that the information would come from the members of the board, and they would get the information. That was in mind many matters. 6. That would include many matters? .... They were positive only as to the suggestions as being spoken to them to tell the members for this, that is that was the idea. 7. As to the money, I am positive I know it, and I am giving you my last recollection as to several of the others. 8. The money is that Mr. Williams is, is not, your power to tell them and others and they would spread the news to the others; isn't that right? 9. About two and particularly, not----- (Mr. Dr. Williams) Carter, Wilson and myself, Dr. Williams and Carter. 10. Carter? 11. Yes, Carter, but more particularly him, until I learned that he was in this little committee inside that I was spoken to you of beforehand, and then there was Carter and me and the others that I would speak to. 12. Up to a certain time you knew Carter, Wilson and Carter is past the word? 13. No, that would not be true. I did not see him for some time. After which I found



that when I would speak to two or three members, the others would get the information without my telling, these men to go and give it to the others.....I think that they simply gave the information, too, as a matter of warning to tell the others something that they did not know before, to appear as important.

(Session of Tuesday, July 14, 1908.-----29 & 30.)

Q. Now, Mr. Gallagher, did you say to those supervisors and inform them as to conversation that you had had with Huff (the first in which Huff told Gallagher that there would be large deals coming on in the board and that he wanted Gallagher to represent him)? A. My best recollection that in that conversation with some of the members the matter came up as to whether or not I represented Huff on the board, I cannot be certain as to whether those talks with the members along that line were prior to the 6th of January or not. A. I mention the supervisors to whom you spoke? A. It is impossible for me to say that. Q. Neither one? A. My best recollection is Wilson, Coleman, Kelly, Murray, Phillips, Linton; there were probably others that spoke to me about it in a general way, but I could not be positive as to just who did speak to me about it. My recollection of my talk with Kelly is that he told me Huff had told him that I was to represent Huff on the board and that Kelly to follow me in votes on the board, and that that I had would be progressive, and I acquiesced. A. How did you tell any of those supervisors you have mentioned that you would treat them fairly, or they would look to you for fair treatment, or words of similar import or effect? A. My best recollection as to all of those that talked with me about it, that they rather expressed the view that that was satisfactory in that, that I should be representing Mr. Huff there. A. That is that, repeat that? A. My best recollection is that way. I do not remember saying that I would treat them fairly, but whether anyone of that sort was mentioned, that I said would be that I could see that they would be treated fairly as far as the board was concerned. The substance of the conversation was the same with Wilson, Kelly, Phillips, Kelly and Coleman, and with some of them there was more conversation than others, a few instances, Wilson, Murray and Linton.

(Session of Friday, July 18, 1908.-----31-41.)

I think the reply of all the members was that they would vote for Huff's program.

(Session of Friday, July 18, 1908.-----42-47.)

My best recollection of that general talk with Murray is that it was somewhere about the first of January or the latter part of December. Q. Did you have about that time a similar conversation with other supervisors (that is a conversation like the one had with Murray)? A. My best recollection is that there was a similar conversation with a man--- she or he--- I think I had a similar conversation with Wilson -- but usually similar, but along substantially the same lines. Just which one I had the talk with I cannot say at this time. My recollection as to what I said to Wilson was that I would be the representative of Huff at the board, and that in whatever matters would come before the board, propositions, etc., any deals that came on, I would take the program from that day the members. Some of the members expressed any dissatisfaction to a member. I do not remember talking to Coleman about it. I think I did that with Phillips, but am not positive. I do not remember speaking to either Kelly or Linton. I do not positively know Linton. I do not remember whether I spoke to Kelly. My best recollection is I spoke to Kelly. I do not remember what I said to





Coffey or not. I do not remember speaking to Coleman or Lee or Cameron. I am not positive about Coleman. I do not remember speaking to Duffy. Q. Did you speak to Nicholas?  
A. I do not remember talking with Nicholas about it.

(Session Tuesday July 21, 1908-----5-9)

I do remember having numerous talks with Huef about the board of supervisors and the danger of their getting into difficulties with matters coming before the board, and the danger to themselves and the administration and ourselves in those matters, and we were in conversation frequently in an attempt to prevent any such proposition as that. Q. But you both agreed to stop these notions of petty craft on the part of the supervisors? A. We both agreed to prevent it. We had no definite knowledge of any such thing having been done, but we were aware that it should not be done.

(Session of Tuesday July 21, 1908-----5-10)

Prior to the time that the prize fight ordinance was under consideration, I had not made any proposition involving money to any supervisor. Q. Did you not give them an understanding indirectly that there might be some matter in which there was money in it? A. Yes, my best recollection is that I had spoken to a few members of the board previously, but not Huef. Q. To which members had you spoken? A. My best recollection is that I had spoken to Wilson, had this general talk with Wilson, and with Horton. My best recollection is that I talked with Huef previously to that, but I would not be positive of that. I am not positive about Coleman. I am not certain as to when I talked with Phillips. Q. That is your impression as to Coleman. You say you are not positive whether you spoke to him or not. What is the state of your recollection upon the subject? A. It is impossible for me to say as to the time. Counsel is asking me if I did not have conversation with members before this prizefight conversation. Q. Before you spoke about any money being in the prizefight proposition, Mr. Gallagher? A. Yes sir, I understand your question, and I am directing my answer to that. I cannot say as to Coleman, whether I spoke to him before or not. Q. Can you say the same as to Nicholas? A. I could not say as to Nicholas; I do not remember speaking-- having this general conversation with Mr. Nicholas, yet it is possible I may have. I am not certain about it. I do not remember having a conversation with Duffy, and am not positive about having a general conversation with Mullock, and I do not remember having that general conversation with Coffey. My recollection is that Huef spoke to me about the matter, and we had that conversation that I have already narrated. I do not remember talking with Lee.

(Session of Tuesday July 22, 1908-----5-11)

To the best of my recollection, the committee of forty who were engaged in the rehabilitation of San Francisco recommended the conversion of the cable system into trolley system as the cable system had been destroyed.

(Session of Thursday July 23, 1908-----5-12)

I had a conversation with Huef before the file, and my recollection of what was said then is that he asked me to speak to the members and find out whether or not the change from the cable to the trolley could be passed by the board, and to get some information as to what amount of money it would take, or something to that effect. My best recollection is that he asked me to see whether it could be put through, and what amount it would take to do it, that is, how much money would have to be paid



to the members of the board in order to do it, and my recollection is that the members were away at San Jose, most of them, and I did not have the opportunity to speak to them, and then the fire and earth quake came along. My best recollection is that I did not talk to the members of the board about it before the fire, or to any of them. My best recollection is that that conversation with Quee took place just a few days before the earthquake.

(Session of Thursday July 23, 1908.-----6-11)

As nearly as I can remember, my first conversation with Quee after the earthquake about the trolley was a few days or probably a week or so after the fire. I am quite satisfied it was not quite as much as two weeks after the fire, and the substance of the conversation was as I remember, that Quee said the United Railroad people still wanted to get a permit to change the system from cable to trolley, and he wanted me to speak to the members about it, and let him know whether the matter could be passed through the board of supervisors, and my recollection is that I told him I would do so. My understanding of what he said was that he wanted me to see the members and find out whether it could be passed through the board, and if so to find out about what it would cost, get some idea of the situation. It was not my understanding that he wanted to know how much each of the several members wanted for their vote, nothing as definite as that, but he wanted a general idea on the subject as to what it would cost to put it through the board, in the way of payments to the members for their respective votes.

(Session of Thursday July 23, 1908.-----11-17)

What I did in pursuance to that first talk with Quee after the fire was that I spoke to several of the members about it.

Q.....who are the members to whom you spoke? A.

My best recollection is that I talked with Wilson about the matter. Q. Well, which other members? A. And probably

Boxton; maybe some other members, but I do not remember just now. There were only a few that I spoke to, as I remember it.

Q. You only mentioned two, Mr. Gallagher. Give us the other two, without taking too much time. A. Well I-- my best

recollection is that I only talked to very few of the members. Q. You mentioned---- A. (Intg.) I mentioned Mr. Boxton and

Mr. Wilson. I could not be certain as to the others that I spoke to. Q. What is the rest of your recollection, Mr.

Gallagher, if you have any? A. My best recollection is that I spoke to Coleman about it, but I am not certain as to Coleman.

Q. Do you think you spoke to Phillips about it? A. I am not certain about it, I may have spoken to Phillips.....my

recollection as to what Wilson said was that he said he thought it could be, and my best recollection is that I did not talk

with Wilson about the financial end of it in so far as telling him definitely what he wanted, but I talked generally about

the proposition as to whether the thing could be put through. That is if a sufficient amount of money were paid, and gave him

to understand that it was to be paid for, and my best recollection is that Wilson said that he believed the matter could

be passed by the board. As to your question of whether he mentioned the question of money, there was something said, but just that it was I do not remember, that would indicate the

board would be paid in the matter, and my recollection is that the statement was made by myself that the matter would be paid

for. My best recollection is that I did not tell Wilson to find out from the other members how much they would think they ought







to get; but the suggestion was made that it would be done and that if the proposition was made and was a reasonable one, he thought that the members would accept it. I do not remember that at that time I asked Wilson to feel the other members out, but it is possible I may have done so. I do not remember of any report from Wilson, and yet I may have had another talk with him about it, in which he reported that the members would pass it, but I am not clear as to those preliminary conversations. I am not clear as to whether I spoke to Houston about it before I reported to Huef, but it is just an impression. I am not clear on these preliminary conversations, whether before the talk with Huef there was any report from the individual members or not, and my best recollection is that I simply spoke to Wilson about it. I am not positive as to the report back to Huef, as to whether there were two conversations with Huef or only the one. My recollection as to the conversations with Wilson and the others is very dim, and I am just giving you my impression, and it is possible there may have been only the one conversation with Huef. I am not certain that I talked with Coleman at that time, and I do not remember speaking to the others. And I am not certain about reporting to Huef that the thing would pass. I am not certain out that there was just the one conversation with Huef. I am not certain as to making report back to Huef, but if I did make a report it was simply that the matter could be passed. It is impossible for me to give you the substance of that conversation that I say I cannot recall having with any distinctness and so I cannot tell you what I reported back to Huef. My best recollection of that conversation is that Huef mentioned the amount that he could allow to each member.

(Session of Thursday July 23, 1908-----13-18)

Ques. Huef said he would allow each member \$4,000 my recollection is that I stated I would see the members and see if that would be satisfactory. Q. Now didn't you say at that time that you thought the amount rather small for the importance of the ordinance to the United Mailbox? A. I do not remember as to that. It is possible I may have made some remark to that effect, but I do not remember it. My recollection is that something was said to that effect that the amount that I would receive would be fixed later.

(Session of Thursday July 23, 1908-----23.)

Q. Immediately following the next preceding testimony what did you do thereafter, Mr. Gallagher? A. My best recollection is that I saw several members of the board. Q. And will you mention their names, please? A. My best recollection is that I spoke to Wilson, Houston, Phillips, Coleman, Lurey, Lonergan, Harrigan. A. Lonergan, Harrigan? A. Davis. Q. Davis? A. My best recollection is that I spoke to a few other members of the board, but I cannot recall just at that moment the other ones. The substance of what I then said to Wilson was that \$4,000 was the amount that would be allowed or given to each member in the trolley matter, and that I asked him to speak to some of the members about it and ascertain if that amount would be satisfactory or acceptable, and Wilson said that he would speak to some of the boys about it. I don't know if Wilson then spoke to me about his own compensation, but my recollection is that I said to him that he ought to have more than the others, and that I would see if that could be arranged. My best recollection is that when I saw the



proposition to Benton he said all right, that he was willing to support the matter, and agreed to the proposition. I do not remember just what was said about it with Benton. My best recollection is that there were several of the members that expressed the belief that they ought to get more money, but I do not know if Benton was one and I do not definitely recollect any particular member, but there were a few. Benton may have made that statement. My best impression is that he did. Wilson reported that he had seen some of the boys and that the matter could be passed under the circumstances. I do not remember that Wilson told us exactly the members he had seen. I don't remember if he mentioned any of them.

(Session of Thursday July 23, 1908-----23-6)

My conversation with Lurey is not clear, and I am not positive about the conversation with him. I am not positive about talking to Purdy at all. My reason is to a certain extent that Colock and Lurey were in a sort of combination or understanding; they had made some sort of an arrangement among themselves, by which Wilson was to speak for them in certain circumstances, and for that reason in speaking to Wilson about these matters, I would be apt to talk to him as to some of the boys, having in mind particularly Lurey and Colock, and so as to them, for that reason I am not positive of speaking to him myself, or whether I spoke to him through Wilson. I do not remember speaking to Leachman. My best recollection is that I spoke to Phillips. It is impossible for me to say definitely what I said to Davis, but it was the same as I said to the others. I am not positive about talking to Leachman, but it would be similar to that with the others. My best recollection is that I had that talk with Harrison also. It is impossible for me to say whether I had the talk with William Hall. The conversation with Hall would be substantially the same as with the others. I am not positive about Gentry. I am quite certain I spoke to Colock. I had substantially the same talk with Coleman. According to my best recollection, I spoke to Lurey about it, but I am not positive about that.

(Session of Thursday July 23, 1908-----24)

You are positive then of having a conversation with Benton, Wilson, Lurey, Phillips, Walsh and Harrison, and as to the others, you are it might,-- some kind of a doubt, is that right? A. As to the others that you have mentioned-- as to some of them, I am positive, as to one or two of them I am not so positive, as to the ones that you have not mentioned by name, I do not call to mind them individually, and consequently cannot answer as to that. According to my best recollection some of the other members that you have not mentioned I spoke to. My best recollection is that I spoke to Coleman, and it would be substantially the same talk as with the others. I do not remember speaking to Leachman it.

(Session of Thursday July 23, 1908-----25.)

It is possible that Wilson may have said to me that there was some speaking by some of the supporters then there was not more money in it, but I do not recall it at this time. My best recollection is that Wilson reported to me that the matter would be all right, and that it would come through. My best recollection is that I told them that the matter would be passed, soon so.

(Session of Thursday July 23, 1908-----26 & 27)

My best recollection is that before the ballot was finally passed, but I could not be positive as to the all I said.











received, that is until I received the second part of that first installment.

(Session of Thursday July 23, 1906-----61.)

At the time I put that \$25,000 of the trolley money in my safe deposit box, it is impossible for me to say what amount of money I had in there, but I should say it was something like 10 or 15,000, and it was in mostly \$100 bills, and there may have been a few \$50 bills, but most of them were \$100 bills.

(Session of Thursday July 23, 1906-----62.)

The 26th day of January, 1906, when I took office I had some money the exact amount of which is impossible for me to state, but I would say it was about \$10,000, or rather something less than \$10,000 approximately.

(Session of Thursday July 23, 1906-----70 & 1)

I should say that that package of \$25,000 would be the length and width of the bills, probably over 10 inches in height. My recollection is that both my safe deposit boxes were well crowded. I do not remember just what I put in the box and what in the other.

(Session of Thursday July 23, 1906-----72.)

The first payment on the trolley was received by me from Huef somewhere about the early part of July. It is impossible for me to say whether it was before or after the 4th of July. It was a package of some sort, but just how it was packed I could not say. I think we counted it out there. I don't remember whether the money was tied up into bundles at the time he had it in his office or not. I think I was using a horse and buggy at that time, it would be too large a bundle for me to put in my pocket, and I do not know positively whether it was in one bundle or several bundles. I think when I put it into the safe deposit box or boxes, that I put it into smaller packages, took it out of the package or packages it was in and placed it in the vault without the cover. My best recollection is that that first payment was all put in the box at the California safe deposit, but I may have put some in the other box.

(Session of Thursday, July 23, 1906-----73-7)

My best recollection is that I received the second payment from Huef in the trolley rather something like two or three weeks after the first payment, and I should say this second payment would be towards the end of July. This second payment from Huef was in small bills such as I have designated. It was \$25,000 in all, that second payment. It was somewhere about the latter part of July; I don't think it was in August. My recollection is that in that second payment there were not so many dollar bills in proportion, but it was made up of the small denominations. I should say that there were probably \$2500 worth of \$1 bills in that second payment, and that there were probably a thousand dollars worth of \$2 bills, and probably \$2000 or 10,000 in \$5 bills, and the rest of it in 10 and \$20 bills; and there may have been a few \$100 bills, but not very many. I could not say if the tens predominated over the twenties in the second payment. These are very indefinite recollections as to the quantities of the different denominations. My recollection as to the size of the package of that second payment is rather indefinite, but the bundle was considerably smaller than the first one. That second payment was kept on hand until it was distributed, and my best recollection is that the greater part of the money was kept in the safe deposit box. My best recollection is that a part of that money was left in the safe at the branch county jail for a few days, where my brother was superintendent. But the greater part of it, I think, went into the box that I had put the second \$25,000 in. The California safe







Deposit. I had not in the meantime withdrawn any money that I had received from Fuet. Either of the previous \$25,000, or of the money that I had in the box at the time I put the previous \$25,000 in there. As to your question what was the package of money I had in the California Safe Deposit Box at that time, I say it was not a package at all. The box was simply stuffed with the bills, stuffed to the top, it was jammed in very tightly, that is, after I put that second payment in it.

(Session of Thursday July 23, 1908-----77-84)

My best recollection is that the second payment made to me by Fuet in the trolley matter was \$40,000; the denominations thereof were large, mostly large bills, 50 and hundred dollar bills, more hundred dollar bills than 50 bills; I should think there were more hundred dollar bills than \$25,000 worth. The proportion of hundred dollar bills was larger than that. The hundred dollar bills predominated very largely in number, that was not a very large package, probably 7 or 8 inches in depth. I got that some time about the latter part of August.

(Session of Thursday July 23, 1908-----84-8)

It was probably a week after I received the first and second payments on the trolley that I made the first distribution; the packages for distribution were made up by me I think at the vault of the California Safe Deposit and my best recollection is that I put them into envelopes, those that would go into envelopes. ....How did you make them up? How did you divide the money, each one get some dollar bills? A. I gave a larger number of small bills to the members than I thought would have difficulty in disposing of large bills, and that was my general object in handing the money to the members. My best recollection is, though, that the bills were divided up-- some got a number of dollar bills and a few five dollar bills. It is impossible for me to name the supervisors to whom I gave the rest of 11 bills or to tell you the greatest number of 11 bills that I gave to ~~any~~ one supervisor or the smallest amount of 11 bills that I gave to one supervisor; I could not say for sure that I gave some 11 bills to every supervisor, but that is my impression, but I am not certain about that. I am talking about the first distribution. I think I completed the first distribution within a couple of days, and it was so where about the latter part of July. I made the second payment to the members about the end of August.

(Session of Thursday July 23, 1908-----8-81)

I think Wallock got his trolley money in advance, and I think Galley got some money in advance of the others, but it is impossible for me to say when these two men were paid, but my recollection is that it was before I received the final payment on account of the first installment, that is that I paid them out of the \$25,000 which I first received. As to your question whether I gave them some 11 bills, I say I do not remember. I paid Wallock \$100, and my best recollection is that it was in all of the denominations that I have mentioned, but I could not be positive about it. I cannot say if there was a thousand dollars of it in 11 bills.

(Session of Friday July 24, 1908-----4 & 8)

My statement of yesterday concerning the denominations that I gave to the supervisors was simply an impression. I cannot remember as to just which ones received bills of one denomination, and which of another, but my best recollection is that the payments were made up generally of all the denominations, but I do not remember doing that by design. I would not be prepared to say I gave any of them any particular amount of any particular bill. When I used the expression "All denomina-











for any particular member. At the time I made the first payments to the members, there was some complaint on the part of the members about the whole amount not coming through, but I can't remember who those men were. My best recollection is that a large number of the members were complaining about the delay in the receipt of the money generally, not only at the time the first installment was paid to them, but previous to that they had been complaining, and that is the reason why the money was paid in the installments. What they said was that there was too much delay in the matter of the trolley money, and wanted to know why it did not come through; a great deal of complaining was before the first distribution, and when I made the first distribution, it is possible that a few members may have said that they should have received it all. My best recollection of when the complaining commenced was about five after the ordinance was finally passed, probably a couple of weeks. I should say it was somewhere about the middle of June that these complaints started. I should say that this complaining extended approximately over a period of a month. My best recollection is that the members who did the complaining in no order, Wilson, Hurry, Phillips, Jackson, Coleman, Loperman, Harrison, Davis. A great majority of the members. There was a large number of those that were complaining at intervals, and that made quite a number of complaints that were brought to me. Wilson told me too that a number of the members were complaining. The substance of all the complaints was at the delay in the receipt of the money, and my recollection of what I said to those complaints was that the delay was caused by the difficulty in securing currency at that time, it was not convenient to handle gold. My best recollection is that they were not satisfied with my simple statement about the reason, but they were somewhat more patient. I do not remember the exact words of their complaints, but the request certainly was that there is no more delay than was necessary in the matter. Coffey wanted his money to go fast, and I think Jackson wanted his for some business reason, and he made an urgent request on me for it. My best recollection is that Jackson also complained too, but I don't remember about Loperman or Davis. Coleman complained, and it is possible that he may have wanted some understanding as to the delay when it would be paid. I would not say that he didn't, as my best recollection is that the majority expressed their dissatisfaction at the delay. A. A. didn't they all in substance say "we want our money", or "I want my money that is coming to me", or words to that effect.....? A. O., that complaint to me undoubtedly meant to convey the idea that they wanted to get the money, as I understood from their complaints to me at the time they complained about the delay that they wanted the whole amount at once, when they were paid. The complaints of course were not at the payment of one-half but at the payment of the whole amount. At the time of those complaints that I have been speaking about the members were not speaking for me I speaking of my half payment; the payment that was referred to was the full amount of \$4000, but by reason of these complaints at the delay in the receipt of the \$4000 it was decided to pay the installment of one-half. When I say there was difficulty in obtaining currency and that I stated that as my excuse, I mean that that was the reason given only after when I asked him about it, and of course I believed it to be true. It may be that a short time after the first payment, or at the time of the first payment, some of the members complained at not getting the whole



14000, but I have no recollection of it. My best recollection is that there was only about 4 weeks between my first and second payment to them. As to your question whether there were any complaints or expressions of dissatisfaction from the members after I made them the first payment and before I made them the second payment, I say I do not recall any definite complaint, but my impression is that the members were not entirely satisfied with the receipt of half of the money, but were made more patient by it, and it is probable that during that time some of the members requested the payment of the remainder of the money promised. I think Jurey did, as I remember the fact of his opening a place of business. I do not positive as to the members making the complaints between the two payments. I would not say whether LaLack or Coffey did or did not. I don't remember about Linton.

(Session of Friday July 24, 1908-----12-32.)

The denominations of the money that I received to make the second payment with consisted of bills of large denominations, a preponderance of hundred dollar bills, and some fifty dollar bills, I think, and I do not remember of any smaller bills than fifty; the larger part was hundred dollar bills.

(Session of Friday July 24, 1908-----33.)

I think I made the second payment to the members about the end of August. By the end of August, I mean, close to the end of the month, about the 31st of August. I say have been the day after or some days before. It was somewhere between the 20th of August and the 1st or second of September. My best recollection is that I distributed the second payment within a couple of days after I received it. It is my recollection that the money for the second payment was never deposited in any safe deposit box, but immediately distributed, and I would say that within a couple of days that I had distributed the greater portion of it. It is impossible for me to say whether I delayed Nicholas's payment for a while or not, or whether I made his payment before I went to Santa Cruz. My best recollection is that I paid Nicholas before the 1st of October. I do not remember of Nicholas making any demand for it.

(Session of Friday, July 25, 1908-----34-43)

In refreshing my recollection to say, I wish to state that the incident of placing the package in the safe at the county jail had no connection with the trolley money, and that it was previous to the fire. One of the facts that has refreshed my recollection is located I have since discovered that my brother seemed to be connected with the county jail after the 1st day of July, 1908. I discussed it with my brother last night.

(Session of Saturday July 25, 1908-----45-7)

My recollection now is that I got the first lot, 10 trolley money in the California safe deposit box, and that when I went there with the second 120,000 that I divided the money in four packages of 3000 each and took probably four or five packages for the purpose of paying the members, and left the other in the safe deposit box so that the balance outside of that eight or ten thousand dollars I put in the safe deposit box at that time. It is impossible for me to tell you the denominations out of which I made up these four or five packages, but these were some dollar bills, and a few, comparatively, of 25 bills, but not very many of them, and 10 bills, and 50, and according to my best recollection, as high as 100 bills.

(Session of Saturday, July 25, 1908-----47-8)

I do not remember whether or not before giving of Frank Jurey testimony I mentioned to my mother of our first presentation that







I had a conversation with Chief about the trolley prior to the fire and earthquake, and I do not remember whether I mentioned it previous to the first Ford trial. I do not remember if I mentioned it at the Eldestone.

(Session of Saturday, July 20, 1900-----51-52)

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THEORY OF THE MECHANICAL ACTION OF THE EARTH.

(100).





TESTIMONY OF MR. EDWIN HALLAGHER GIVEN AT THE BREWERY TRAIL (1900) (Hallagher testified in the Coffey trial on February 8, 1909 and the page references herein are to the separately bound volumes of those respective sessions.)

Q. You remember prior to May 21, 1900, or having any conversation with Mr. Coffey in relation to that ordinance, or that bill (trrolley)? A. Yes, my recollection is I talked with Mr. Coffey; what was before the final passage on May 21st. I don't remember of what I then said to Coffey, was that in the matter of the overhead trolley there would be \$2000, and he said all right. (February 8, 1909-----11,12)

Q. Now that is the latter part of July, I don't think it was as late as August, Coffey told me he was going west and wanted to get paid of the trolley money. I told him I thought I would do that for him. I set him by appointment, either the next morning or shortly thereafter and gave him \$2000 and it was bills of small denominations running from \$1. up to \$200., and I told him when the other \$2000 would be paid later on.

(Feb. 8, 1909-----11,12)

I should judge about six weeks intervened between my first payment to Coffey and my second. About August 23rd I received further money from him in the trolley matter, and it was in bills of large denominations, mostly in bills of large denominations; what I mean by larger denomination is there were a few \$5. bills and the great bulk of the amount was in bills of \$20. and \$100 bills, and mostly \$100. bills, and the amount was about 45 or 50,000 dollars, whatever was necessary to complete the payment of \$105,000; and I delivered \$2000 of that to Coffey and I think that \$2000 was in two packages of \$1000 each.

(Feb. 8, 1909-----11-17)

Q. In your conversation at the Gladstone you have not said about anything except as to the payment of money to anybody, were you? A. My recollection of the conversation is that it was pretty thorough as to all the matters that were inquired into; asked the question if this was the best way to do it. (Feb. 8, 1909-----11-17)

In the money conversations with him in which he told me what he would allow the supervisors in the various matters I did not urge on me. What to give more. I talked with him about that matter and he gave me his advice as to what he would do and I reported that back to the supervisors.

Q. And you asked him if that is all he could do? A. I don't remember another I asked him that. Q. You might? A. It is possible that I may have asked him, but it is more likely that he said that that was the best he could do.

(Feb. 8, 1909-----17)

After that had spoken to me about the trolley I cannot say who was the first supervisor that I spoke to about it; my impression is that I spoke to Mr. Wilson about it.

Q. Didn't you ask Mr. Wilson to see if that bill could be put through or that ordinance could be put through? What the feeling was among the members of the board? A. That was substantially the conversation with Mr. Wilson. I also made such inquiries among the members myself as to the proposition itself as to whether the passing of that



would be taken up by the board under any circumstances. At that time the opposition - the amount that would be given by Mr. Ruel for it had not been taken. Q. Now many members of the board did you yourself talk to personally relative to the proposition of \$4000 for the passage of this trolley ordinance? A. I cannot tell you the exact number. I spoke to the majority of them - a large majority of them. Q. Is a large majority personally about it? A. Yes sir. Some of them Mr. Wilson spoke to as well as myself. I spoke I talked with more than a majority personally. I did not talk to you. I did talk to Eaton. I did talk to Wilson and Perry. I am not certain about Touchin. Yes I did talk to Williams. I did talk to Phillips and Lewis and Messenger and Harrigan. I am not certain about Reid, I may have. I think I talked to J. H. Iyer but I am not positive. I did talk to Wilson. Q. Henderson? A. Yes, I talked with Henderson. You mean now before the passage of the bill? A. Yes. A. Yes and with Coleman. I don't remember talking to Duffy, I may have. I talked to Nicholas about it.----- (Feb. 9, 1909---00-2)

The first trolley payment to Caffey was in small bills, \$1., \$5., \$10., \$20., and perhaps a few twenty dollar bills, but not many.----- (Feb. 9, 1909---00-3)

The first bill of the trolley money that I received from Ruel was in small denominations running from \$1. to about twenty; now to five, ten and twenty dollar bills.----- (Feb. 9, 1909---00-4)

Q. You cannot say anything about it (the previous talk with Caffey on the trolley) except the fact that you had a conversation? A. I cannot give any of the circumstances. I cannot remember the place. My recollection is that I spoke to him about it. I wish to say that my recollection on that is not so positive as to say that I could not be in any possibility mistaken about it. I am giving you my recollection of the time. As to the fact of talking with him about the matter - as to that conversation with him - I am positive as to that fact that I did talk with him, but as to the time my recollection is that it was between the time when it was passed in print and the time when it came up in front of the board; but I may be clearer about that.----- (Feb. 9, 1909---00-5)

I have no recollection of the question being asked but I have a doubt that I testified as follows at the Commission: Q. What was the substance of your first talk with him after the time in regard to the trolley? A. He said that the U. S. wanted to put in the trolley system; that their system was immediately destroyed and they wanted to put in a trolley system and he said if it could be done, why there would be a great deal of money in it. I said well, I don't know whether the boys could work it out through or not, I will see how the boys feel about it. And I spoke to J. Wilson it was Wilson, supposed to send the boys all I saw how they felt about it; and then I told Ruel; I said there is a great deal of talk among the boys about this being a very serious proposition - amount of a much opposition to the trolley on Market Street; but I said I think, if you are anxious to get it through, it might be possible to do it. So when he said that he wanted to put it through and said he thought they





be could get a large sum for it. Well I told him it ought to be, and in talking with the boys about it I got the que that they would not care to put it through for less than 5 to 10 thousand dollars; though they ought to get that much. I told Ruef I thought so too. Ruef said it would be impossible for him to do that. And I think it was Wilson who talked with some of the boys about it and told me that he thought they would be satisfied with \$4000. I so represented to Ruef and he said, all right, put it through. Q. Then you reported back to the boys, the members of the Board that \$4000 - A. Yes sir, I told Wilson to let the boys know that would be the amount that they would receive." I am satisfied that you reading it correctly. I have no recollection of the question being asked, but I have no doubt of the proceedings there of being correct. At the present time I do not recall speaking to Mr. Ruef about any amount that was arranged or mentioned by anyone, but it is possible that I may have done so, but at that time that was nearer to the time, and my recollection may have been fresher than at the present time. I don't remember saying to Mr. Ruef anything about any report that I had heard from any of the members concerning money. (Feb. 9, 1909----86-8)

As to whether my talk with Coffey on the trolley was before the matter was brought up I could not be absolutely positive and I am not willing to say that I am positive. My recollection is as I have stated, that is, to the time, but as to speaking about the matter - the fact that I did speak about the matter - on that I am quite confident. (Feb. 9, 1909-85)



REQUIREMENT OF IDENTIFICATION APPEARING AT THE FIVE HOUR MEETING (No. 1437)

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(The matter contained in this document is self-explanatory and has been already set forth in the independent volume entitled "The people, vol. no. 1437, published by JAMES L. BULLARD in the "BULLARD PUBLICATIONS".)





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(The witness recalled in this chapter is all surprised and pleasantly met with in the independent volume entitled THE FIRST, viz. No. 1437, CHAPTER of JAMES L. CALLAHAN in the "FIRST CHAPTER".)

PART I.

CHAPTER THE FIRST.

That first week to me about the trolley matter about a week before April 15th-----674; 1368; 1369; 1374; 1375)

This was the conversation before the fire; That said A.H. wanted to secure a permit to use electricity upon their lines and he asked us to speak to the members of the board and let him know whether it would go through the board and about what amount of money it would take and I told him that I would do so-----674)

Witness recalls that the conversation was, but with the exception of words-----1368)

I was in further conversation with them on the subject prior to the fire and have previous to that time-----1374)

Did not speak to any member of trolley before the fire---675)

Prior to that first talk with them on trolley before the fire there had not as I remember been any talk between me and any member about what they would do as to put it through. To the question as to whether the conversation was more occurred and I have forgotten it, I say I do not think one could have been for such conversation. To the same question repeated, I say it is barely possible that some mention may have been made by somebody, if so, I have forgotten it-----1374 & 1

That talk was brief before the fire is not vivid, recollection of it not clear and can only give recollection of it becoming refreshed by my recollection of it-----1368 & 3)

The fact of that conversation with them before the fire was very clear in my mind and it had practically passed from my recollection; that refreshed it is a talk about November, 1907, about time of first trolley trial-----1367)

I do not directly corroborate or support or substantiate statement about trolley, and that I stated that was true as I remembered it-----1368 & 34)

It is true when they told me that they wanted to change to a trolley I said "Well, I don't know whether the boys would want to do that or not; I will see how they feel about it." 1368

In recollection as to that first conversation with them was clearer at the time of the first trolley trial than it is now and that is why I testified in the first trial case and failed to testify in this case that they asked me whether I thought the board would grant the proposition and that I told him I thought they would, and that is a good power too I did not include in my answer here the statement that they also asked me what amount the board would insist upon in order to pass that proposition-----1368)

A. And was it your recollection that Mr. Hall before the fire asked you about the matter and that Mr. Hall asked you to



find out how they stood upon it and whether they would want money and how much they would insist upon to pass that resolution. A. I cannot say that I remember that part of the conversation; it is not clear in my mind. It would be involved in the proposition of spending in the matters of see whether it would be possible to put it through the board. I do not remember his using the word money; I cannot recall that at this time.-----1368)

The facts as stated by me in the second time trial at page 118 - all of that record and which you call my attention to, are reference to that talk with Huff before the fire was substantially true.-----1369-7)

I have no doubt that I testified in the Third time trial at page 149 with reference to the conversation with Huff before the fire just as you have read it in my.-----1370)

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Page 11.  
First conversation  
of Williams with  
Huff after the fire.

Q. A further talk with Huff about the week after the fire.-----1371; 76; 1375; 1380; 1389; 1394; 1395.)

A. Huff then stated that the U.S. still wanted that permit and as soon as the members had been called I thought it would go through the board, and I told him I would.-----1374-1375-93

I think I expressed my views on it then and in a way I said I was in favor of it.-----1376)

Q. Did you not at that time say anything about money.-----1371)

A. I am not certain that Huff made any such statement; I used it as a form of expression and as a reference to the fact that before the fire those privileges were wanted.-----1378-4)

Q. That conversation after the fire is not clear in my mind, that is the division of it, the substance is clear in my mind but whether that talk was separate from the talk concerning the board of mayor that could be allowed I could not be positive, but I think it was a separate matter.-----1381)

A. Yes that was I had that first conversation after the fire I thereupon spoke to several members about it and told Huff what I thought it could be done.-----1382)

I can't remember if he asked me if I was moved by the members. My recollection is on this that they still wanted it and that he is speak about it.-----1383)

Q. Next certain of it.-----1384, mentioned in that conversation Huff wanted me to find out if it could be got through, and whether or not he could go to it and how much it would take or anything to that effect I don't remember at this time.-----1384)

A. The substance of that talk is that Huff said they still wanted the franchise and told me to go and find out the ways and see whether it could be got through.-----1385)

I am not positive if that conversation was followed with the one in which he said he would make the offer. My best recollection is it was not, but it may have been. In answer to the question of the fact that he wanted to read again and that I answer it, I say that he did tell me if that talk as he did in other matters to me put and after that a certain sum for their value and he said that he would like to get them or that, where would be 25,000 Dollars is the matter and





13981-4

My recollection is that there were two people who were there and that this last conversation immediately followed upon the other and about the same time, and in the said conversation he told me to go to go out and make this offer. (17 & 8)

by best recollection, is I told you. Three or four  
times, is that that first talk after the first was not the one  
in which the subject of money was mentioned and just I told you  
so important that I do not submit as to the representation  
of those conversations, but that is my best recollection. (Exhibit)

Indicate the absolute effect of the 74,000 is \$500,000

It is difficult for me to say those I spoke to, as the time when it was not clear in my memory, but I will give you those that according to my best recollection were spoken to, but I am not positive, and you, that I had a conversation with the different members of that proposition and as to what particular made I spoke to I cannot be positive and as not clear that I spoke to some of the most it. Those I believe to have Wilson and Nathan and according to my best recollection I spoke to Kitchell, Coleman, Lohrman, Phillips, Perry, Harrigan and probably to some of the others, but I cannot say as to that; and as to those I only remember that I spoke to them generally as to whether it could be put through the Board and what they thought about it and the response that they thought it could be, and I don't know what spoke we mentioned at all in that conversation, but it was here once, I cannot say that there were any. As best recollection I can give of this said in general terms as that conversation as it was an important proposition and that there might be a large crowd of other talk on it or something to that effect; Perry and Nathan and that said that I could be definitely whether Wilson was or not, but there were several others had spoken that day and I could not be certain about Nathan and I could not say that of any one.

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[illegible][illegible]

After the first telephone call after the time I went  
down and interviewed several of the leaders and it is hard  
for me to say who was first; my first recollection is that I called  
in Chicago, Boston, Calumet, Chicago, Phillips. I do not know  
of calling him I would I did; and he said. Jack's response  
that he remembered that time I spoke to him; and said  
in Chicago, Phillips and Chicago; I do not call him  
then in the fall, and said with him. General \_\_\_\_\_



I did not say to them that they were my money in it or anything of that sort, but just asked them if they would be skeptical and they said they would.-----1472)

The subsequent conversations are dim in my mind but I know I failed to make in a general way without making any proposition of money to them and reported to them that I had spoken to them, and I can't remember of their making any proposition in return but impressed themselves favorably.1473)

I do not remember that any of the money was taken. The money would pay or hold or lose - nothing of it.-----1474)

Q. Now, as it is not true, Mr. Hollinger, that you did go out on your own to some of the members of the board about that matter about after the time at the request of Mr. Wolf, and that the members of the board said that it was a big thing and there would be a lot of money in it, and that some of them said they wanted five or ten, or were somewhat disappointed for it was not that much the money. Is not that true? A. As to the part of money I cannot testify at this time, Mr. Wolf, although at that time I was somewhat and probably was. I do remember, though, as I told you a while ago, that there was some talk of that sort on the part of some of the members, but just which ones I cannot tell you. I. And did you not then go back to Mr. Wolf and tell Mr. Wolf what they wanted money and a large sum of money to get it together, and wanted about or over or 10,000 dollars apiece, and that said so. He said he stood for anything like that, and didn't you then say you saw him and he would or would have it and wasn't the limit put at 4 - I do not know that. A. I do not remember the details of that conversation but - I was proceeding to say that I could not remember the details of the conversation although I was in my memory there was a conversation of that sort; I was certainly in talking with Wolf and about the report - the statements that were made to me by members, I would report to him the small decision of - I think as I found it, and I cannot remember the exact words that I used to him.-----1475)

I think it is so that Mr. Wolf told me that the U.S. wanted to change to a trustee I said "Well, I can't know whether the law would want to do that or not but I will see how they feel about it."-----1476)

I took steps to sound him and reported to Wolf and I remember there were some men thought they would receive a large sum but I can't know just what was they received, and they liked. I continued to find that it was a matter receiving a whole lot of attention, it was a large matter. I do not remember telling Wolf but I was sure told him that as a result of the sounding and the report of what Wilson told me that the law said it would be pretty difficult there to get through in respect of the position by the trustee or trustee report, but I thought I told him the same were more favorable.-----1477)

All of my own report was that it would be difficult, but I can't remember.-----1478)

I can't remember at this time saying to Wolf that there could be a lot of money in it but it is possible I may have done so. I don't remember telling Wolf that in talking with the big amount of I got the idea that they would not care to put it through for less than 10,000 dollars and that they could then make or get that.-----1479.)





It is possible I said to Sue, "I think so too" but I don't remember doing the word. -----(1437)

I don't recall at this time but it may be that when I reported to Sue after he came to me about the money matter that I told him that I thought the money was enough to get him 5 to 10,000 dollars each for the money matter and that that said it was impossible. -----(1440)

Q. Is it not true that you suggested that to Wilson and that when Wilson told you that he thought that the boys would be satisfied with 10,000 and that then you reported to Sue that the boys would be satisfied with 10,000. Is that true? A. I don't remember at this time of that statement by Wilson, but it may have been true. I don't remember the circumstances but it may have been. -----(1441)

Q. I say I don't recall and I say I remember that I asked Arthur what he is after that 10,000 each, he simply said as he said that if it would be put through and I have done with the money proposition of five or ten thousand dollars to him, and that he said it was impossible, and that then I said that and told him that I was 10,000 apiece. (1441)

I am not positive that I had a talk with Davey on the subject. -----(1446)

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NOV 27 1936  
CHICAGO ILL  
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My last recollection is I reported to Sue that I had seen the boys and that they were in Chicago. -----(1473)

After that time with the boys, the money and of April and the time of that I said to Sue I thought we should be out enough and that said he said that the amount of 10,000 to each would be enough and he said that and said that he was satisfied and I said that I was. -----(1480)

I did not at that time report to Sue that they were away in the state. I do not remember doing so. -----(1481)

I will not testify that I did not say to Sue that some of the money had stated that there could be a lot of money as it was said was a big proposition, but as to telling her that the money was enough to get 10,000 each I don't think I did. -----(1482)

I simply reported to Sue that I thought the money proposition would be put through. That was probably a week after the time. It might have been within two weeks. -----(1486)

I am not sure whether at that conversation or a short time afterwards that Sue said there would be 10,000 and so you the money. -----(1487)

Q. I say that you spoke to Sue of the money matter about the money matter after the time of the report of that some of the money did say that there was a big thing and that said to be a lot of money to it, and that you said that would give, and so you would be satisfied to have the money for it. And afterwards I reported to Sue that the money would be satisfied as I found it. -----(1488 & 7)

I am not sure that I had a talk with Davey on the subject after that you called to my attention and if



very likely happened as these stated; I remember that the  
members were dissatisfied with the amount----- (1430)

On previous matters I am in accordance with my present  
recollection, but in one or two instances it varied from that,  
but these I cannot recall at this time----- (1435)

I will tell them what he told me the trolley people  
wanted to change the trolley but I did not know whether the  
trolley went to and that or not, but I would rather they  
fill them in.----- (1435)

I look steps to come the members and reported back  
to them, and I remember there were some members and thought  
they would receive a large sum and likely I mentioned to  
them that it was a matter that was receiving a lot of at-  
tention.----- (1435)

Page 9.

EXCERPT FROM THE  
COLLECTION WITH  
REMARKS  
ABOUT THE 11th.

After this last talk with Reed I talked with Wilson,  
Coleman, Lacey, Loney, Davis, Dorton, Harrison, Harrison,  
Richards and Phillips on the subject and to other members  
whom I don't recall.----- (1440)

This last conversation with Wilson took place a day  
or two after the last talk I had mentioned with Reed and I  
told Wilson that there was \$14,000 in the trolley matter  
and asked him if that would be all right and he said that  
he thought he ought to receive more and I told him I would  
see Reed about it and see if he would get more to give more,  
that I was satisfied or would not I then asked him to come  
to some of our other members about something and see if  
they would be satisfactory to them, and he said that he would  
and that he would be all right on the matter.----- (1445)

A few days after that last talk with Reed I talked  
to Coleman, Lacey, Harrison, Loney, Harrison and Phil-  
lips and about \$14,000 in the trolley matter and  
each said that was all right.----- (1450)

There was some objection made by some of the members  
as to the amount but I don't remember whether Coleman was one (1450)  
or not.----- (1450)

I did not speak to them about the \$14,000.----- (1455)

That that talk he \$14,000 I was not and was in the  
members about it; a short time after the first, probably say the  
first or second day. I then talked with Dorton, Wilson,  
Coleman, Lacey, Phillips, Loney, Harrison, Davis and  
Richards; and with Loney; did not speak with Harrison  
at that time; when I spoke to Richards he was not there; when  
to several others but do not recall; do not want of Duffy;  
did not speak to me; when I spoke to Lacey and he was not satis-  
fied; I think I spoke to Lacey.----- (1455)

That I told them was what would be \$14,000 in it  
and they said all right, some members and said they would









What I said to Ruef as to why Wilson could get more was that he was active and had considerable influence and was the representative of a sort of little combination on the board and I felt that if Wilson were disposed to make trouble in the board he might be in a position to influence some of the members.----- (1717)

As to who first spoke about Wilson getting more, my recollection is that Wilson spoke to me or that Wilson spoke to Ruef, I think he spoke to me about it.----- (1719)

PART VII.  
FIRST PAYMENT BY  
RUEF TO GALLAGHER.

About the early part of July Ruef said he was ready to pay over a part of the trolley money and he gave me I think it was about \$20,000 and said that the other payment would be made in a short time, but I do not remember that he gave any reason for the delay.----- (698&9 & 1439)

That payment just mentioned was in currency and the bills were one, two, five, ten and twenty dollars and it made quite a large package, 12 or 14 inches in height.---- (700)

I could not say whether that payment was before the 4th of July.----- (1498)

The denominations of the bills in that payment just mentioned were \$1, \$2, \$5, \$10s, possibly a few \$20 bills; I don't remember of any \$50s but there may have been two or three of them. It is impossible for me to say just how many \$1. bills there were but there was a large quantity of them, I should think probably that one half of the bills were \$1. bills.----- (1499)

I should say somewhere about eight or ten thousand dollars or maybe a few more were in \$1. bills.----- (1500)

There were not so many \$2. bills; probably less than a thousand and more than two hundred of them, that is as close as I can come to it.----- (1500)

There were probably one thousand \$5. bills.----- (1500)

I could not say how many \$10. bills there were but the balance would be made up of five and ten dollar bills; the tens predominated over the twenties; there were more tens than twenties; it would be difficult for me to approximate the \$10. There may have been one hundred \$20. bills there, there would be somewhere about five hundred tens.----- (1501)

Bills were considerably worn.----- (1501)

THEY WERE COUNTED out into packages of \$100, some more than that; in some cases two or three packages would be put together and set aside to keep track of them.----- (1502)

I had no satchel there with me.----- (1502)

I carried it away in a bundle, a package, I did not carry it away in my pocket, I think I took it away in a buggy to Ingleside and kept it there until the next morning when I put it in a California safe deposit box - ----- (1502 & 3)

That first package was about fourteen or fifteen inches high and the width of a bill.----- (1503)

At the time that trolley money was paid to me Ruef said he was ready to turn over part of the money in the





trolley and there was some conversation with him concerning the attitude of the Board, and so forth.-----(1903)

I am not sure I took the money the next day to the California Safe Deposit Box.-----(1904)

I know I took it down to the California Safe Deposit Box and I think I rolled the bundle and put the currency with elastic bands around it in the box; it was divided up into packages; they were laid in flat and some on the side, the box was covered and was stuffed with bills. There was not any room to place the bills side by side, I stuck them in any way to get them in.-----(1904)

I am not sure about the exact amount that I received from that in the first payment, as to its being an exact half of the full amount; but it was more than enough to make the payments to the supervisors and to leave some over.-----(1904)

I should now think there was a larger number of 100 bills than 500. bills.-----(1903)

#### PAGE VIII.

CONVERSATION WITH  
CALIFORNIA SAFE DEPOSIT  
BOX OFFICE  
AT SAN FRANCISCO, CALIF.  
THE PASSAGE OF THE  
FIRST PAYMENT TO  
CALIFORNIA BY THE  
TROLLEY.-----

Prior to the second payment in the trolley, I discussed the delay with Chief; subsequent to the passing of the trolley permit and previous to the receipt of the money I had several conversations with Chief on the trolley; I stated to Chief that the reasons were completely about the delay in the payment and he said that it was due to the difficulty in getting currency.-----(1904 & 5)

Prior to the second payment Chief had figured out for me that the total amount was \$28,000 and we figured out what each was to get including Wilson and myself and it was stated what each was to get.----- (1904 & 5)

Chief was the one who first mentioned what I was to get. (700)

After the passage of the trolley and before the payment Lester, Coleman, Wilson, Lacey, Lemmergl and others were complaining to me over the delay in the payment of the money; my response in each case was that I would see about it or in others that the reason given to me was the difficulty in securing currency and that the money would be paid as soon as it could be had.----- (1904)

Wilson told me that some of the supervisors were complaining very bitterly about the money not coming through and I think he mentioned Murray and Woodcock.----- (1904)



About latter part of July Josef said he was ready to pay over sufficient to make up half the payment in the trolley, and then gave me about \$25,000 in currency; those bills were also denominations running from \$1., \$5., \$10. \$10 and \$20., and told about the same size package as the one I have just described; and in that talk Josef said it would be a good idea to pay half of the money to the members in order to keep them from talking about the fact of their not having received the money sooner, and I told Josef I would see them and see if there would be all right and make the half payment if they agreed to receive it in that way. I do not remember that at that time Josef gave any reasons for the delay (70112)

is that when Josef said that the remaining half would be paid shortly.----- (703)

The total amount of those two payments was \$45,000.----- (704)

The first half of the money remained in my possession about three weeks or so before I got the last money required to make up that \$45,000.----- (1070)

I think it was a few days after I got the first payment from Josef that I got another payment from him on the trolley matter, not very long; maybe three or four days or a week; and then I got \$25,000.----- (1008)

The denominations of that second amount which Josef gave me were \$10, \$20, \$50 \$100, \$200 and a few \$1. bills, I think, but not many; there may have been a few \$10. bills; I should imagine that there were more than five \$10. bills.----- (1006)

There may have been probably thirty or forty \$20 bills, but I don't think there was that many, probably just more than twenty. We did not segregate the different denominations when Josef was making me the payments; we simply counted off bundles of a hundred and the denominations were all in together.----- (1006-1/1)

My best recollection of the number of \$1. bills that Josef gave me would be probably two or three thousand or maybe four thousand or maybe as high as five or six thousand; I am certain there were not less than two or three thousand one dollar bills; the two dollar bills would be but a few. There were probably a hundred or more.----- (1007)

There was probably five thousand dollars in \$5. bills; maybe more.----- (1008)

The balance would be made up of \$10. and \$20. dollar bills and others; probably an equal amount of them, ten and twenty.----- (1009)

Adding the outside figures it would be something about five thousand \$1. bills, about 100. \$20. bills, about one thousand \$5. bills, and the balance divided equally between ten and twenty.----- (1000)

I don't remember how I carried it.----- (1000)  
My recollection is that \$45,000. in round numbers came to me in two payments, though there may have been a third payment.----- (1010)





This 141,000 which Buaf gave me in the trolley matter I paid to the bankers, with the exception of ten, within a few days after I received it and I used the identical money that had been given to me by Buaf in the trolley matter, and I paid \$1000. to each except Ted and Wilson and myself, and to Wilson I paid \$1000 and to Ted nothing, and the balance I retained.----- (706-9)

I made no advance payment to Harlock before I received the second amount from Buaf and it was about the middle of July.----- (707)

The amount I retained for myself, if the figures I gave are correct, would be \$11,000.----- (711)

I do not recall that I paid Harlock before the receipt of the third payment, but I think it was not a long time after it was the final part of the first installment.----- (1513)

It was during the latter part of July that I made the first payment to the supervisors in the trolley, but I cannot find it exactly.----- (1515)

I paid Wilson at the old City Hall; and I don't think his \$1000. was in an envelope, and I think it was in paid bills from a dealer up. In retaining the money in the way now told I did it to get to retain the large bills, so generally the packages coming to the bankers would have some of the larger bills and some of the smaller, but I would take them as they came along. I could not say which man I gave the most one dollar bills to. I should think there were over one hundred and perhaps as many as five hundred in one dollar bills given to Ted but I cannot recall the exact circumstances. I don't remember to have kept any of these one or two dollar bills usually.----- (1517 & 15)

I am not certain whether I paid Wilson his \$1000. in advance of paying the others \$10,000.----- (1518)

I gave Coffey his in a baggy, I gave Benton his, Ted, in a baggy; I gave Harlock his at the California Safe Deposit and Trust Company vaults, and I think I gave Pursey his at the Bank Rooms.----- (1519)

PAGE 12.

THIRD PART OF  
GALLAGHER  
MEMORANDUM.

About the end of August Buaf told me he was ready to turn over the balance in the trolley and he gave me 40 or 41,000 in currency; the denominations were mostly fifty and one hundred dollar bills; almost all, there were no one or two dollar bills, there were no very small bills, no bills that I remember that were less than ten or twenty.----- (710 & 11)



It was about the latter part of August, something like a month after the time between the last payment to me by Huef and the next to the last.----- (1664)  
 My best recollection is that the last amount paid to me by Huef was \$48,000 and not 40,000.----- (1664)  
 My best recollection of the last payment to me by Huef was that it was made up both of gold notes and ordinary green-  
 backs; there were various kinds of currency, and some National Bank notes.----- (1678)  
 I think the last payment was about 45,000 and was in bills of large denominations, say 1000 bills and 100. bills. I think there were some 1000. bills less than 100. bills. There may have been some bills of smaller denominations, but not many. (1665)  
 There was a lot of 10. bills in that last payment.----- (1677)  
 I am not clear as to whether there were 2s., 5s., 10s. or 20s. in that last payment.----- (1677)  
 There may have been some 1000. bills in that last pay-  
 ment, but not many.----- (1678)  
 I think I took that last payment up at once and divided it into packages and distributed it.----- (1671)  
 I think the way I carried the \$48,000 in that last pay-  
 ment was in the kind of packages of my inner coat or overcoat; inside was outside both; I had five pockets.----- (1673 & 4)  
 I could not say positively I carried that \$45,000 in my pockets.----- (1674)  
 That I did not deliver the day I got it, as I remember it, I put into the safe deposit box.----- (1678)

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PAGE XII.

RECALL OF THE  
DEPOSITION OF  
WILLIAM W.  
WILSON.

I paid out \$1,000 to Wilson and \$,000 to each of the Supervisors when I got that last payment from Huef, with the exception of the money left; and to them I gave \$,000 and the balance I kept.----- (1683 & 711)  
 In making those second payments to the supervisors I used the identical boxes which Huef had given me.----- (711)  
 I made no separate payment to Bailey, but do not know whether it was on this final payment or on the first one.----- (711)  
 I made the second payments to the supervisors about the end of August.----- (711)

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PAGE XIII.

RECALL OF THE  
DEPOSITION OF  
WILLIAM W.

The three-cent fare ordinance was presented to the board early in 1906; it went to the committee on public utilities and was reported adversely at the request of Huef; he told me there would be some money in it for me and the committee took a month; he volunteered that. It might be





that I mentioned it to him first. My recollection is that Wilson and Coleman spoke to me about it before I had any talk with Huef and said that there ought to be something in it and I said I would see. I don't think there was any offer made in that until after the matter was defeated.--(1413-21)

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PART XIV.

HUEF'S MESSAGE  
TO HUEF.

I told Huef I had a memorandum or a short-hand report or a memorandum note that Lord told me he had sent to him by some friend and that Lord asked me to acquaint Huef with the matter mentioned in the memorandum. I also told him that I had gone to see Lord because Abbott had told me that the envelope was being sent to Huef by Lord, and not being able to find Huef quickly I had gone to Lord with it and asked that I should go with the envelope, and he said to open it and that it was not important and to read it myself; I did open it and read it and saw a memorandum of it in shorthand and took the memorandum to Huef.-----(1684)

I am quite sure I told Huef that Lord said that some friend of his had sent the note.-----(1685)

I am quite sure I opened the envelope.-----(1690)

That I told Huef, I think, was that it was a message to Lord from some friend of his and that Lord had so told me and what Huef said was "all right", I will look after it." I could not say that Huef used those words "I will look after it", and the reason that I put that in is because some such idea was expressed by him.-----(1690 & 1)

My recollection is that the expression used in that note was not "trolley", but that it was "United Railroads matter, with Railroads permit".-----(1791)

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PART XV.

HUEF'S MESSAGE  
TO SUPERVISOR.

Huef told me there would be a number of matters coming before the Board in which corporations and large interests would be interested and that there would be a number of people coming in and he wanted me to represent him; that was between the election and induction and probably in November, and I said "all right".------(432 & 5; 1180)

Before I got appointed supervisor, Huef did not have any such talk with me.------(524 & 3)

I had served with Horton before and afterward.------(525)

Prior to my qualifying in January 1906, I had never talked with Horton before or afterward about their getting any money for their votes or me getting any money for some of my votes as a supervisor, nor had any of them suggested to me that there was or could be any money in it.------(524)

Up to the election in November 1905, I had never talked with Huef or Abbott or anyone else about there being money in it or that I wanted to or would take money for my votes, nor did anyone make any such suggestion to me.------(524 & 6)



From the time I took office in January 1908 I was seeing Huef almost daily and was intimate with him up to the time of the convention and advised with him and made suggestions and he frequently asked for my judgment and advice. (1906 & 7)

Subsequent to the election in 1908, and before we took office I think I mentioned to Borton and that I would represent Huef on the Board and I don't remember that the word money was used.----- (1936 & 7)

I am satisfied that between the date of our election and the 1st of January 1908, there was no conversation between me and Borton upon the question as to whether we would arrange to get or would get money for our vote as supervisors; nor as to other matters getting money for their votes.----- (1937 & 8)

The only talk I remember with Borton during that time is that I told him I would represent Huef on any matters or deals that would come up before the Board. There was no mention of any amount of money and my recollection is that he said "All right, I am with you."----- (1944 - 4)

Between the convention and the election I had no talk with Huef about Huef or public service corporations or about any money being in the job nor between the election and Jan. 1st, 1908; and the same is true of Coleman and Davis.--- (1944-8)

About the time of the organization and election there was no talk between me and Huef as to whether there was any money in the office.----- (1948)

About the latter part of December I had a talk with Huef in which I stated that I would represent Huef, and it was conveying to him the idea if he chose to take it that way, that there would be deals coming on and that I would represent Huef; my intention was that he should gather from it that there might be deals and that he would be treated fairly and squarely if he stood in; I was endeavoring to convey to him and something to the effect that there would be money and that he would get his share, but my remark to him about money was indefinite; he never afterwards called that talk to my attention.----- (1950-3)

Between the election and the 1st of January 1908, I did not tell Monaghan, Kelly, Harrigan, McEllock, McLaughlin or Nicholas or Phillips or Lee or Henderson or Wilson or Huef anything about money in connection with the office.----- (1951-05)

I think it was about the first of January 1908 that I had a talk with Wilson about representing Huef on the Board and that there would be probably some deals, I either told him that I would represent Huef or that I expected to do that he wanted me to. The word money was not mentioned.----- (1951-12)

I will not testify positively that I did not mention money to Wilson and tell him that there would be money in the matters that would come before the Board, but still I may have. It was a casual talk and came up in a general conversation with him.----- (1955 & 6)

I do not remember that Huef told me to tell that to Wilson; I think Huef told me that he would tell the boys that I represented him on the Board.----- (1956 & 8)

I spoke in an indefinite way to Wilson and told that he understood.----- (1957 & 3)

I remember speaking to Wilson, Huef and Borton after the election and intimating that I would pay them money for their votes, but there was no one else that I remember having any of those uncertain conversations with. The conversations





I refer to were those prior to January 9, 1936----- (1936 & 7)  
When the members complained about my five per cent.  
prize fight commission I told them I would thenceforth repre-  
sent Weef and not them----- (1938 & 6)  
I said then in substance "You fellows will not be so  
well off, but it suits me"----- (1938 & 1700)  
-----

STATE OF N.Y.  
(IN SENATE)  
JANUARY 1936  
(1936 & 1700)

Now I told Wilson that there would be \$4,000 in the  
trolley matter he said he thought he should receive some and  
I told him I would see if Weef would agree to give him  
more and that I was satisfied he would.----- (1938 & 1700)

Now I approached the supervisors to ask the sum they  
stood upon and trolley I cannot state that some of them men-  
tioned money to me. My best recollection is that some of  
them said in general terms that it was an important propo-  
sition and that there ought to be a large amount of money paid  
on it, for my say have been one and Wilson my have. I don't  
say so to date, there were several members had spoken that  
way.----- (1938 & 1700)

I do not remember of ever going back and regarding  
to Weef that they wanted money in the matter. I will say that  
I did not report to him that some of them had said that there  
ought to be a lot of money in it.----- (1938 & 1700)

My best recollection of that first talk with Weef before  
the fire was that he told me to ascertain whether or not such  
a proposition could be put through the board (as no money was  
mentioned in this narrative Weef plainly did not proceed upon  
the theory that he would be paid the board even with money). (1938 & 1700)

I do not remember, but it is hardly possible that before  
Weef talked to me about the trolley matter before the fire  
company in the board and myself talked about that would be  
charged to put the trolley through.----- (1938 & 1700)

I did testify in my Christmas statement that I told  
Weef in the first talk about the trolley that I did not know  
whether the boys would want to put it through or not, and  
that I spoke to Wilson and then reported to Weef that there  
was a good deal of talk among the boys about it being a very  
difficult proposition but that still if he was anxious to  
put it through it might be possible, and that then he said  
it might be possible to get a large sum for it and that when  
I said to him that in talking with the boys about it I got  
the idea that they would agree to put it through for less  
than from five to ten thousand dollars and that they would let  
they want to let that and that I told Weef I thought we had  
and that Weef said it would be impossible for him to do that. (1938 & 1700)

I did testify in the first board case that Weef told me to  
find out what amount they would receive or limit about to pass  
it.----- (1938 & 1700)

I did testify at the second board trial that I was  
in that first conversation with Weef about the

trolley before 4-



the fire he asked me to interview the members of the board and let him know what amount "could have been given" to the members of the board in order to pass it. I did testify at the first trial that when I reported to them that I had obtained the money and that I was satisfied it would be passed, that I then "looked him the amount of money he could allow the board if they passed it, and under." (1406)

I do remember that when I went up and gave to the members about the smaller amount after the fire at the request of Board, some of the members were saying that it was a big thing and that there would be a lot of money in it and that they wanted 5 or 10,000 in it before they would vote to pass it, but I was not sure of the amount. And I definitely reported to them the statements made by the members. (1406-7)

I then went to inform the members and report to them that I had been told that the money was a big thing and that there would be a lot of money in it and that they wanted 5 or 10,000 in it before they would vote to pass it, but I was not sure of the amount. And I definitely reported to them the statements made by the members. (1407)

After they have reported to me that it would be a big thing, I went to the trolley through an amount of the opposition (1436)

It was on that I reported to them that in talking with the boys about the trolley I told them that they would be able to get it through the law that was 10,000 and that I thought they ought to get some more for it. (1437)

It was on that Wilson told me he thought the money would be satisfied with 10,000 and that then I reported to them that I had been told that the money was a big thing and that there would be a lot of money in it and that they wanted 5 or 10,000 in it before they would vote to pass it, but I was not sure of the amount. And I definitely reported to them the statements made by the members. (1438)

It was on that I reported to them that in talking with the boys about the trolley I told them that they would be able to get it through the law that was 10,000 and that I thought they ought to get some more for it. (1439)

I do recall before the money was given as follows: I acquired from one of the men in that (14,000) spoke to him - Harvey and I understood there was a good deal of money in it, but I did not know it, after I was told that I was informed by some of the members that there was some satisfaction over the amount they would receive. They thought they would be receiving 10,000. That would be all they could receive. I told them that it was a big thing and that they would be able to get it through the law that was 10,000 and that I thought they ought to get some more for it. (1440)

There was some question made by some of the members as to the amount but I don't know whether (1441)

There was some question made by some of the members as to the amount but I don't know whether (1442)

There was some question made by some of the members as to the amount but I don't know whether (1443)





I told I told Wilson in the conversation in which I told him there would be \$5,000 for the other members, that he ought to have more and that I would see if it could be arranged.-----[1713]  
I told that Wilson was a valuable man and that I got more and he said he would allow him \$15,000 in the trolley matter. (MC-3)

As to your question whether I donated \$5,000 for myself in the trolley matter I say I was never considered in it and of course I have suggested it to me. I do not remember just how it came up.-----[1714]

I told that Wilson was a representative of a little community and the more and more he was by a little group of the members. I told him that first night he was in there, I told him about his position.-----[1715]

I testified in the first trial that it was Wilson who first said that he ought to receive more.-----[1716 & 7]

After the second payment in the trolley matter he got out and I got several conversations with him about the money and I told him the members were complaining.-----[1717, 18 & 19]

After the passage of the trolley act Wilson was present I remember that Wilson, Coleman, Wilson, Perry, Langston and others were expected to be over the matter in the payment of the money and I said that of the difficulty in getting the money, and Wilson told me that some of the money was being paid very little and the money was coming. Wilson and I were in conversation further and further.-----[1720 & 4]

After that was the first payment on the trolley matter he was it was to see the members quiet and I told him I would see that and make the payment if they wished to be active in that way. It was he that I suggested to him before he suggested to me that there ought to be something in the three-cent fare problem.-----[1721-22]

By recollection is that Wilson and Coleman, before I had any talk with him on the three-cent fare problem, told me that there ought to be something in it. [1723 & 17]

I testified in the disbarment that I told that Wilson ought to be speaking in the disbarment case and that the law was and he said he would see if he could arrange that for me as far as the committee and that I spoke to him several times about it, a number of times.-----[1724-25]

According to collection, that had to lead out first to each and every member to see if the fare could be gotten to about \$1.50 before even discussing money with them.

A remedy was made to Wilson, Perry and other before we were installed and installed, that there would be money in our votes.-----[1726]

I did testify before the Grand Jury that Wilson was useful in getting the money in time.-----[1727 & 3]

I did testify before the Grand Jury in answer to the question whether there was a member that I trusted more than the others, that I generally spoke to Wilson about it; and I also said I would speak to Coleman and to Foster and Langston or perhaps Phillips or Davis or Perry. There were three or four I talked to first as a rule of conversation to get their views.-----[1728]

I would not have voted in favor of a trolley, as against the objections of me.-----[1729]

It is not exactly so that I would have voted anyway but without the payment of a single dollar, I would



if it was within reason, and all those matters were within reason. I am satisfied that Huef could have got a majority to vote on the trolley ordinance without money.----- (1009)

I had some say in the arrangement of the committee and the secretary and the various clerks.----- (437-48)

In the early part of January 1906 Huef told me the members were going out with the far-side people and for me to tell them to hold them back.----- (208)

Butler said at the far-side luncheon "You fellows are not in this proposition for your health and neither am I," and Huef told me Butler was making friends of that sort and that it was too bad. ----- (204-5)

Huef asked me for the gas money and to be declared in on all matters.----- (534 1-4-1/2)

I told Huef I was going to take five per cent out of the prize fight money and a short time after the money was paid he told me the members were kicking and he said "But I will fix it with you so you will receive a larger amount than the other members."----- (331)

When I told Butler there would be \$3500. in the House or said he did not care to agree to accept it.----- (246)

And when I told Langman there would be \$3500. in the telephone matter he said he thought there ought to be a great deal more and made some complaint about it.----- (647)

About a week before the passing of the gas ordinance to print Huef told me about the members taking money from the other side and that some had broken away, and he asked me to straighten them out and he named Wilson, Langdon and Huray and I told Jeffrey.----- (649)

Huef told me about Wilson selling on him in regard to several of the members and he mentioned to Hook and Huray as being two of them.----- (668 1/2)

I talked with Wilson and Butler about Evans proposition for me to meet Sprackels before I authorized Evans to make the appointment and I think I talked with some of the other members; it was the suggestion of Butler and Wilson for me to go and see Sprackels.----- (1136 1/2)

51)

I do not think that I could have led the band on against Huef. There would be very few matters that I could not have voted for upon the mere request of Huef.----- (1191)

It was not necessary for Huef to offer me any money to get me to vote in favor of the prize fight permit and at his request I would have asked the other members to vote for it without money and that is true in the gas, telephone, far-side and trolley matters.----- (1192 1/2)

I am entirely satisfied that Huef and I could have put that prize fight franchise through as we did without giving any money to these supervisors.----- (1193)

Representatives of the Western Telephone Company appeared before the Board in 1905, and I advocated their proposition and met their representatives.----- (1194 1/2)

It is possible that some of the members came to me before the passing of the money in the prize fight and requested me to speak to Huef about the far-side matter. He never told me anything to me about far-side party expressed opposition to it and I think the members were rather holding the matter in abeyance. ----- (1253 1/2)





There never was a time during all these transactions when there was any combination in the Board of which I was a member that would not have broken at once upon the suggestion of Huefi.----- (1188)

I did testify at the Gladstone as you have called it, it was probably the first.----- (1698-7)

I did testify in the case of the People versus East, No. 140, the Milling matter, that it was not my custom to make the Court under statement on matters that were pending before the Board to a full member, that I could state it to two or three of them and they would pass the word along. (1698)

It is not so that in the Purkiss case I testified that it was my habit to speak to three or four including Wilson and Nelson and have them pass the word around. The only one that I ever told to speak to another member of the Board was that Wilson. The others were made up, the leading members of the Board, with the idea of having the word go around among the others.----- (1699)

I did testify at the Gladstone as you have called by allusion to, with reference to my system.----- (1699 & 1700)

It is not true as you asked me with reference to my Gladstone statement that there was an understanding with the members that I should word word to them through myself.----- (1700)

I did testify at the Gladstone that I suggested the return of the money to the Pacific States in the telephone matter, but that it was reported to me that the boys refused to accept of that.----- (1700 & 10)

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## PART XVII.

### IMMUNITY.

The immunity contract was in duplicate and one copy is in the possession of the district attorney and the other in mine. I saw that contract on date July 25th, 1897, signed by Langdon and Healey. It was at Healey's office and was on the day it bears date. None of the signatories would not sign until they had seen a signed contract.----- (1700-5)

The ground on which some of the members refused to resign was until a written contract of immunity was placed in my possession and some of them objected to receiving on the ground that it was part of the contract of immunity that they should remain in office.----- (1700)

Triffey and Wilson were included in the original contract of immunity but were subsequently excluded. ----- (1701 & 3)

The original verbal contract of immunity was made with Langdon through Brooks's representing him and we talked over the terms of the agreement and I was representing the board.----- (1701)

The original contract of immunity was made in the month of March 1897.----- (1702)

I did not know Brooks's before I met him at the Free-aidic grounds and no body introduced him to me and I met him there by appointment some time in the spring.----- (1703 & 10)

Events came to a point where Triffey and Wilson said that a number of members had been trapped and it was serious and he called again and said there were certain arguments the prosecution would be willing to make for immunity and that they had me told Triffey and he suggested I talk with Brooks's, and



I authorized him to make the appointment, next I went and saw Wilson about it within a day or so and talked with him and Jaxton about Wilson's proposition and I think with some of the other supervisors, and we discussed the advisability of making an appointment with Spreckels, and Jaxton suggested that West also should set the same terms. It was a suggestion of Wilson to go and see Spreckels.----- (1161-1163)

When I made the appointment with Spreckels and I went with him to his office. I was in the room waiting for Spreckels when he came walking alone. I said to Spreckels that I understood that some of the others had gotten into trouble and I had come to talk with him about it. He then stated that he was not actuated by vindictiveness and that his purpose was to interrupt the unlawful dealing with corporations and large interests with public officials, and that the supervisors and those who were engaged with them in the matter, some of them who represented the corporations and the big interests, were not so important from his point of view as public officials and business men were and so, but that the corporations and big interests remained; and he said that he felt the District Attorney would grant immunity to any ward if they would tell the whole truth and I said I was sure that I would consider the matter and would talk with the members.----- (1162-5)

I did then remain a short time away when I met Spreckels and Jaxton and I met Jaxton on the street after I talked with Spreckels.----- (1166)

I said I told Wilson to get the members together. (1167)

I told the members in various places as I could the statements of Spreckels to me.----- (1171)

Spreckels told me, I think, in that first conversation that he thought the same terms would be allowed back as to the Board.----- (1171)

After the caucus I met Spreckels within a day or two again at his office. The Board had agreed that I would go and see him and get further information as I told the latter of the members leaving the money was voted at the meeting of the Board. I submitted the official resolutions to Spreckels at the second meeting about the charges against Nichols. Then I also told him some of the members had spoken about the prosecutive situation to recover that money, and Spreckels said that he understood that the law on that subject was that they could not successfully prosecute any person to recover that money, and I spoke to him about Wilson and Jaxton keeping their offices and Spreckels said he had no objection to the same proposition being extended to West; and he said that I thought these other matters would be all right; in that conversation he said he felt it would be better for the supervisors to remain in office. I said that and reported all of this to the Board.----- (1177-78)

Up to that time I had no talk with Barns, Jones, or Langdon.----- (1179)

I met with Spreckels again at the same place to submit one or two additional mail matters and once again reported back to the Board.----- (1177 & 8)

In my third meeting with Spreckels I told him I thought the Board would accept, and he said if they really like them



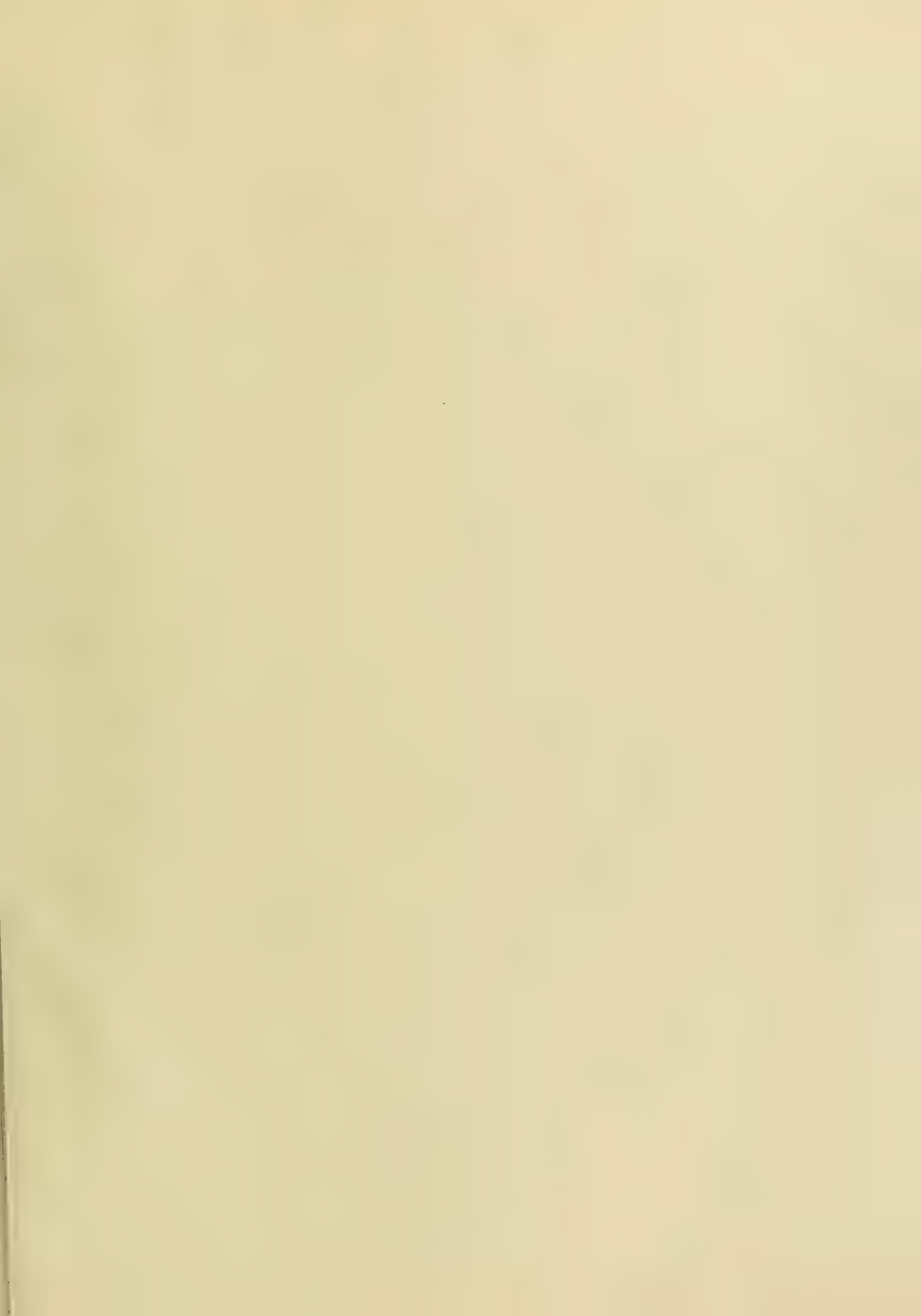


Go to the Flackstone apartments on Saturday the 18th at 10:00.  
I reported back to the board in a conference on Saturday morn-  
ing and the board decided to accept and they want there was  
in answer to Mr. Stone at the Flackstone. - - - - - (1977-1)

The proposition to Mr. Stone was that he should not be  
put in a position where the board should have legal grounds  
for removing him; it was agreed that he should not be called  
upon to testify at all. - - - - - (1977-1)

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## Gallagher on everything but Trolley Matter

Complete Testimony of Gallagher on all matters Excepting Trolley,  
Given in the Following Proceedings:

- I Gladstone;
- II Grand Jury;
- III First Ford Trial (817) ;
- IV Second Ford Trial (823) ;
- V Third Ford Trial (812) ;
- VI First Ruef Trial (840) ;
- VII Crothers-Older Libel Case (1358) ;
- VIII Ruef Preliminary Exam.
- IX Coffey Trial (1080) ;
- X Second Ruef Trial (1437) ;









GALLAGHER ON EVERYTHING BUT TROLLEY MATTER.

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- VII. Crothers-Older Libel Case (1358)
- VIII. Ruef Preliminary Exam.
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TESTIMONY OF SUPERVISOR GALLAGHER  
AT THE  
GLADSTONE.

ORGANIZATIONAL STRUCTURE OF THE  
FEDERAL BUREAU OF INVESTIGATION  
OF THE  
DEPARTMENT OF JUSTICE

## PRIZE FIGHT

The first matter that came before the Board in which there was any money paid out to the different members was the Prize Fight Trust matter. That matter first came to my attention through Ruef who spoke to me and said in substance that there would be some money in it and discussed with me the proposition that he wanted me to look after things in the Board of that sort for him, and then discussed this matter. He did say that he did not want to pass money himself to any of the members, that he wanted to do it all through me. In this particular prize fight matter he did not say whom he had taken it up with. He said there was to be \$500 for each member, \$9,000. He did not say who was paying it. As to what I was to get he said at that time he would arrange with me for something definite for that later on, something





further but at that time better say nothing about that because the boys might make inquiry and might be dissatisfied. Q. Now then, you made the arrangement with the different members of the board; did you speak to each one about it before they voted about it? A. There was very little said as a rule. Q. Who did you send the rumor out by in regard to the Fight Trust? A. I cannot remember; there were so many things that it is a hard thing to remember that. ....(3)

My first talk with Ruef about the prize fight was shortly after we went into office ....(4)

The \$9,000 prize fight money was given to me by Ruef in bills and all at one time; no, some of that was in coin probably \$2,000, nothing more than that. I think I gave the coin to McGushin. ....(4)

The amount that I gave to each one of those to whom I gave currency in the prize fight matter was \$475; that was deducting five per cent. commission. I told some that I had taken commission and that was satisfactory to the most of them, some complained about it afterward and I simply said "All right, we will attend to that, you fellows will not be so well off but it suits me" ....(5)

Each and every one of the board was paid in the prize fight by me ....(5)

#### GAS.

The next matter when money was paid to the members of the board was in fixing gas rates for 1906 and that was in February. The money was not paid until the rates were fixed. Before the rates were fixed I had the understanding in regard to the payment of the money with Ruef. Q. And you sent the word around among the members of the board before the vote that there would be something coming? A. Yes, sir, I told some members of the board, don't remember which fellows. I know it was a general understanding; the boys said "Is this thing all right?" I said "I understand this is all right," and they understood there would be something coming to them ....(5)

It was with Ruef that I had the talk in regard to the money in the gas and he just simply said there would be \$750 for each of the boys and myself, he would settle with me. I explained to him the former arrangement was not satisfactory. He did not at that time tell me what each share would be in the gas matter ....(6)

Ruef gave me the money for the gas proposition, \$13,350, and all at one time and that was distributed \$750 to each member of the board, except McGushin who received nothing from me, and \$1350 for myself. McGushin was very radical for municipal ownership and was opposed to extending any consideration at all to the public service corporations and was determined to vote for the 75 cent rate. Ruef told me that the rate should be made 85 cents and I would not say I advised the committee particularly to fix it at that, but I advocated the 85 cent rate. Q. And they understood that whatever you advocated was what was to go? A. That was the idea, and I am satisfied that they had a previous understanding of my talking to them directly, they understood there was to be something coming to them on that matter and then I discussed the rate with them and the agreement was reached to fix it at 85 cents. \* \* The 85 cent rate was suggested by me, and suggested by Ruef that was as low as it could possibly go under



the circumstances. Ruef did not give me in that talk any intimation as to how much he personally would get and I never asked him and he did not say anything about how the matter was to be taken care of and we never discussed that fact. ....(6 & 7)

The \$13,350 gas money was in greenbacks and was handed to me by Ruef in his office at California and Kearney street. There is no way to fix the date of that except that it was later than the month of February because the rates were fixed at the end of February and as I do not think it was a month later, I should judge it to have been in the month of March. It was less than a month after the rates had been fixed according to my judgment; my best judgment is it was somewhere about the latter part of March .....(7)

I have met nearly all of the people connected with the gas company. I don't know who is the outside man who looks after the fixing. In answer to your question whether there was anyone who came and watched proceedings like Krauss used to for the Telephone company, I say not that I know of; those whom I know connected with the gas company are Brittain, Napthaly and McNerney; and others whom I can't recall; I met more, a number of them, not to recall it, never discussed the gas company's affairs with any of them. ....(38)

#### TELEPHONE.

Ruef and I had a number of conversations about the telephone matter. The substance of those conversations was, he was discussing the likelihood of being able to pass the Home telephone application and discussed with me as to whether or not the efforts of the old company would be sufficient to prevent the passing of the Home franchise. He asked my judgment and I told him that I thought it would be passed and that I personally was in favor of it, and he then told me that he would make definite arrangements for the purpose of securing the money when it was needed to put it through. Finally at the last conversation we had about the arrangements for the matter he told me that he could secure enough funds to allow each of the members of the board \$3,500. That was the conclusion of his discussion with me in the matter. -(8)

Ruef did discuss with me the proposition of certain members having received money from the Pacific States to oppose the putting up for sale of a franchise but that was not in any of those talks prior to the payment of the \$3500; at the time he talked about \$3500 and fixed that price he did not state anything in that talk in regard to having heard that certain members had received money from the Pacific States; it was subsequently developed that they had. ....(8 & 9)

After Ruef told me it was to be \$3500 I then sent word out among the boys that it was to be that amount. Q. Do you recall who you sent that word by? A. I am pretty certain I spoke to Wilson about it, perhaps to others. At any rate others came to me to find out if it was all right, practically all came to me .....(9)

The next development after I passed that rumor was that I was informed by Ruef that some of the members had accepted money from the Pacific States; he did not say how many and I do not think at that time he knew exactly how many; he asked me then what I thought of the situation and



.....  
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I told him I didn't know what could be done except to speak to the boys and see if they were going to break away from his leadership; and I then talked with a number of the members of the board about that matter; those whom I talked with were Nicholas and I think Mamlock and several others, almost all of those that finally voted for the Home franchise. There was trouble in bringing over those who had accepted money from the Pacific States. Wilson talked to a number of these boys, he being one who had taken this money and he told me that still he did not want to break from the leadership of Ruef and wanted to act with him and myself in the matter and said he would talk with the other boys about it and see how they felt about voting for the Home anyhow. I suggested that the proper thing would be to return the money to the company and asked him to talk with the boys about that. Ruef also suggested that that ought to be done but he reported to me that the boys he talked to refused to consider that proposition but that they were going to stay with the program for the Home. .... (9 & 10)

I knew before the vote how many votes we were going to get for the Home. It was not understood that those who did not vote for it would get their money, too. Those who did not vote for it got what money they got, if any from the Pacific States. Those that voted against the Home did not get any of the money from the Home. .... (10)

Ruef gave me the money to make the payment in the telephone matter in two payments; the first payment he made me in his office and my recollection is that it was something over half of the amount that was necessary and it was in currency and the bills were about all large sizes, some of the small and some large. .... (10 & 11)

Ruef made me the second payment in the telephone matter in my office; probably it would be mere conjecture at this time for me to say how long afterwards was the second payment - a few days or a week, not a great length of time - because the money was not turned over for some little time after the franchise was advertised for sale but it was paid over before the Home franchise was finally passed, it was paid over before the bid was accepted. .... (11)

I had paid the money over to the different members before the bid was accepted before the fire. .... (11)

The second payment on the telephone matter was made to me by Ruef in currency also. .... (11)

In making payments to the members on the telephone matter I did not pay any right away when I got the first money but I waited until I got the complete amount and settled in full. I received in all from Ruef \$62,000. .... (11)

I paid \$3500 to Coffey and to Coleman, Furey, Lonergan, Mamlock, Nicholas, Phillips and Wilson; but I paid \$6,000 to Davis, Duffy, Harrigan and Kelly; and I retained \$10,000 myself. The ones whom I paid the \$3500 to were those who were reported to have received money also from the Pacific States, while the ones to whom I paid \$6000 each were the ones who refused to accept anything from the Pacific States. Now I knew which ones received the money from the Pacific States was that Wilson went over the list of those he was satisfied had received it and while all of them may have received I cannot recollect that they did; the matter was settled on that basis. The men had refused to return the entire money and I recommended to each one of those that spoke to me that he should return one half of it because I understood that



vigorous demands were being made for the return of it; Wilson told me about the vigorous demands. ....(11 & 12)

I paid the various supervisors on the telephone matter at various places. ....(12 & 13)

The five who did not get anything were Sanderson, Boxton, Rea, Walsh and McGushin. .... (14)

No member of the Home Company talked to me concerning money matters. They spoke to me about their franchise. I voted for it previously. I was in favor of it and told Ruef so and did not care to recede from that position. Frick and Gerstle and Thomas all advocated it to me in the old board. The old company beat it in the old board though I voted for it and supported it strongly. I had also talked with Mr. North and Detweiler. ....(14)

I got pretty well acquainted with Detweiler, he was at my office three or four times. ....(15)

Ruef met Detweiler in my office. .... (15)

A considerable time before Ruef told me about the 35 to each member Detweiler told me he would like to talk to Ruef about it. .... (16)

I talked with Asher about the Butterfield company and told him I would favor granting his company a franchise on the same terms as had been granted to the Home. ....(17)

#### PARKSIDE.

There was no other matter that came before the board in which there was to be any money used, that I know of. Q. What about Parkside? A. There was nothing developed there. There had been a rumor. I had a talk with Ruef about it. He said there would be something doing there but there was nothing doing. He said he thought there ought to be a thousand dollars for the boys in that, but not definitely settled. It was not definitely fixed at \$750 first. He said he thought that would be about what they would be willing to do afterwards when they wanted more concessions he said that if they got that they ought to pay up a thousand dollars to each arifice. It did not get any more definite than that. He did not tell me the money had been paid to him. He said he thought the matter was all right; that it was in shape so that he could get it -- that was after it passed but he has always denied that he had it; the excuse he made is that it is a difficult matter to get it and quite a number of excuses none of which was satisfactory to the boys. He said he thought it would be difficult to handle it just now. .... (19)

#### THREE CENT FARE.

I opposed the three cent fare ordinance and it was defeated and afterwards I suggested to Ruef that there ought to be something done for the boys who stood in and he said he would see what he could arrange and he told me there would be \$500 a month for the members of the judiciary committee but nothing was ever paid to us though I spoke to him several times about it and he always made excuse that it had not been attended to. I was to divide the five hundred a month up among the committee as I thought it ought to be divided, and it was to continue until the end of the term of office; he was to get this money and let me have it every month. The



(1) I have been thinking of you very much lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I always find time to think of my friends. I have been thinking of you very much lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I always find time to think of my friends. I have been thinking of you very much lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I always find time to think of my friends.

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other members of that committee were Wilson and Coleman, I think, Furey, and Phillips I think. I spoke to Wilson about it and to Coleman; in fact Coleman spoke to me about it and I think that Wilson talked with the other members about it. (20 & 21).

#### UNION STREET RAILROAD.

There was not much talk between me and Ruef about the Union street trolley privilege. I know of no proposition made by these people but Ruef favored it. There was several efforts to get the board to hurry them up on the work but Ruef did not intimate money. I asked Ruef if he got any money on that and he said no. I afterwards heard rumors that he did and I spoke to him again and he still denied it.... (22)

#### BAY CITIES WATER COMPANY.

The Bay Cities matter was an exceedingly indefinite sort of a proposition; all that Ruef said about that at any time was that it was a large proposition and ought to be a very valuable one; there ought to be a good deal in it but never anything of any definite nature at all, never anything that I could suggest to the members as being a proposition. As to your question whether he didn't say that there would be more in it than anything that had come before the board yet I say he might have said that but merely speaking of its holding a possibility of a big proposition. He never fixed definitely what we would get out of it and the fact is there was not any understanding that anything definite would come out of it. It was a good deal in the air. Q. At the time this board was appointed to examine the different propositions what did Ruef say to you? A. The boys themselves, some of them talked around about what ought to be done with it and rather had the feeling that they were not going to be treated fairly in it, wasn't any question about that. A. At the time this board was appointed -- A. I am satisfied that as far as this water proposition was concerned in the shape in which it was, it could not go along because the members of the board were inquiring about it. Q. That is to say, they could not have put it through without some definite agreement? A. Definite agreement of some sort because they felt that the thing would not be managed by Mr. Ruef and he would not be advocating it unless it was of some benefit to himself, and they did not want to be treated in that way any more -- they felt that -- many of them were complaining about a number of propositions put through in which they felt he had received money and not paid anything to the boys at all. Q. Was the Ocean Shore one of those? A. No, it was not. There was not any feeling on the part of the members of the board -- some few were more suspicious than the ordinary ones, expressed the view a few times that they had not been treated fairly on that thing -- there might -- something had been done somewhere -- but the great majority of the members of the board felt that that wasn't the case, that Ruef didn't receive anything for the Ocean Shore. ....(23-24)

We selected five water propositions out of a number submitted to the board. The five we thought the five best propositions. We were satisfied that notwithstanding any expectation of any proposition coming from these people we thought that that proposition was the one that would be best of all

1. The first of these is the fact that the  
2. second of these is the fact that the  
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1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is assigned to the case. The investigator must first determine the nature of the problem and the scope of the investigation. This is done by interviewing the witnesses and the parties involved in the case. The investigator must also determine the time and place of the incident and the persons involved. This information is then used to develop a plan of investigation. The plan of investigation is a document that outlines the steps that will be taken to solve the problem. It includes the objectives of the investigation, the methods that will be used, and the timeline for the investigation. The plan of investigation is then used to guide the investigation and to ensure that all the necessary steps are taken to solve the problem. The investigation is then completed and the results are reported to the appropriate authorities. The results of the investigation are then used to determine the cause of the problem and to develop a plan to prevent the problem from occurring again.

those that had been suggested we thought that the Bay Cities was the one; we based that opinion on the reports and statements that had been made and the general run of the proposition. When the suggestion was made to put the proposition up, Ruef spoke to me favorably of the Bay Cities.

Q. The boys got the impression there would be more in it from the Bay Cities; it was a general understanding there would be more money in it from the Bay Cities, that was a general rumor if the Bay Cities went through it was a good sum of money for them; generally understood through the members? A. The idea was they had the idea so far as

the water question was concerned at all, it was a big proposition and Mr. Ruef had the view it ought to be a large

proposition and that the Bay Cities, he thought, was the best one and the members of the Board -- Q. The best from a financial standpoint? A. No, I mean outside of that. It

was true that probably there would be a chance of something being done; that was Mr. Ruef's suggestion and at the same time without regard to that question, it was believed by the members generally that it was the best of the propositions that was suggested. I do not know that Ruef collected of each of the five propositions. There was not the slightest

suggestion from Ruef to me only as to the general proposition of a water supply and that he favored the Bay Cities. I had not it settled in my mind that he had definitely agreed anything and when the proposition came up so far as my information went there had not been any money paid to anybody nor any agreement to pay anybody. It had not gone so far as the question of whether we were to be paid before the matter was submitted to the people, nothing of that sort; it was the slimmiest sort of thing, nothing definite. As I understood it the Bay Cities were to do a lot of work about there so that there would be no expense to the city at all, and I understood that would involve the expenditure of several millions of dollars. I have no idea whom Ruef dealt with in the Bay Cities matter, I never met any of them. The Mayor never said anything about that matter at all. I only know Tevis from having met him in the Board. I knew John E. Bennett quite a long while, he appeared before the Board with Tevis. ... (24-8)

#### SPUR TRACK.

The Southern Pacific got spur track privileges by asking so far as I am concerned. Nobody spoke to me about the spur track privileges at all on behalf of that Company; Ruef did not talk with me about it; I felt friendly with the Company; in fact, I had an idea that Ruef didn't care to have these last spur track propositions go through; he just suggested to me that there was no hurry about them; Jere Burke used to go before the Street Committee; I didn't have much to do with spur tracks. Jere Burke never spoke to me about spur tracks and I never heard of his opposing them; and Ruef never spoke to me about any other spur tracks except in a general way about applications. .... (28-9)







TESTIMONY OF SUPERVISOR GALLAGHER  
GIVEN BEFORE THE GRAND JURY ON  
MARCH 18, 1907.

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TESTIMONY OF SUPERVISOR GALLAGHER GIVEN BEFORE THE GRAND JURY  
ON MARCH 18, 1907.

PRIZE FIGHT.

I paid \$475 to each supervisor on the prize fight matter after it passed. Ruef gave me that money and said I was to pay it to the members in the manner and amounts mentioned. Q. Had you had any prior talk with him about who was to pay money to the members of the Board? Did he make an arrangement with you that whenever a matter passed there, he would pay it through you? A. There was such a conversation and such an understanding between us. It took place at Ruef's office at California and Kearney streets in January 1906. .... (63)

I received for myself the \$500 and in addition to that 5% from each member making in all \$925. .... (63)

Ruef paid me altogether in the prize fight matter \$9,000 and it was part in gold but mostly in bills; about \$1500 or \$2000 was in gold. .... (63 & 4)

Ruef did not tell me how much he was getting in the prize fight matter nor who gave him the money. .... (64)

I knew who were the members of the Fight Trust; I knew that Levy, Graney and Coffroth and Britt had formed this combination. .... (64)

GAS.

The Gas rates were fixed in February, 1906. The supervisors received \$750 apiece from me in that except McGushin. Before the vote was taken in Gas fixing the rate Ruef told me that there would be \$750 in it for each member. Q. And did you tell any of the members of the Board that before the Board vote was taken. A. That I can't remember definitely as to when, as to whom. Q. You don't remember you trusted more than others in telling -- to send word among them or did you tell each one yourself? A. I would mention it to one or two and they would speak to the others about it and generally I spoke to Mr. Wilson about it and it would then become known to the members. I talked very little to them about those things. .... (64)

The kind of money that I paid the supervisors the \$750 gas money in, was bills generally and generally in an envelope. Sometimes not in an envelope. .... (64)

Q. Can you remember as to each one to whom you paid it? A. No it would be impossible for me to say as to each, just where each received each payment, a number of them I can't fix, but it was always in this city; sometimes at my office





sometimes on the street or some place where no one was about, but more frequently at the Board rooms at the City Hall. I would never give any to any of them in the presence of any others. .... (64 & 5)

The amount that Ruef gave me in the Gas matter to deliver to the supervisors was \$13,350 and was at his office and was after the passing of the ordinance and consequently must have been subsequent to the month of February as the ordinance, I think, it was within a month as nearly as I can remember -- it was about the latter part of March, 1906. .... (65)

I kept for myself \$1350 of the Gas money and paid \$750 to every other man who was then a member with the exception of McGushin; including Rea and Sanderson. .... (65)

When Ruef gave me the Gas money he said nothing more about it than that it was to be given in that amount to each one. Q. Who fixed the amount each one was to get? A. By suggestion by Mr. Ruef that that would be the amount that he thought he could arrange to have given to the Board. That was what he told me. .... (65)

#### TELEPHONE.

I had several conversations with Ruef previous to the passing of the ordinance for sale of the franchise which was subsequently purchased by the Home Telephone Company. Their general purport was that the Home wanted this franchise and that he could allow to each member \$3,500 for the passing of the ordinance and that word was sent to the members in the same manner that I have explained of suggestion to one or two members and they would send it on. Q. Do you remember who you would do this to? A. I can't remember positively but generally I would mention it to Mr. Wilson or to Mr. Furey or some of the gentlemen and they would talk it over with the others and prepare them with that suggestion. ... (65 & 6)

After I passed the word out about the \$3,500 Ruef heard that some of the Board were getting money from the Pacific States and he spoke to me about it and said that he understood that the Pacific States were offering large sums of money to the members for the purpose of getting them to break away from the agreement to support the Home; I don't remember now whether he told me how he learned it but I am satisfied that he did at the time when he got it from members of the Board who spoke to him about it and just which one I do not remember, but I know that he told me at the time. He told me that they had told him but just which one brought him the information I don't remember. He requested me to speak to the members of the board and dissuade them from taking the Pacific State's money or from breaking away as he termed it. I spoke to several of them about it. We voted upon the matter in caucus and Ruef and the Mayor were there and I spoke the Mayor spoke in favor of the Home and I do not know if Ruef expressed himself but I spoke in favor of the Home. The vote was 13 in favor of advertising for the Home franchise and 5 against it; the 5 were Bixton, McGushin, Rea, Sanderson and Walsh. I presume it was the next day that the vote came up in the Board and the vote in the Board was the same as in the caucus. .... (66 & 7)



After the vote had taken place I received money from Ruef to be paid to the members. I received a portion of it at his office in bills, probably one half, and the other half I received a short time afterward at my office at 206 Sansome St., the total amount was \$63,000. .... (67)

I do not think that I paid any of the telephone to any of the supervisors before I received the second payment but I am not positive. There was not more than a week between the two payments; there was some delay between the passing of the ordinance and the receipt of any of the money. Ruef gave me no reason for dividing it into two payments except inconvenience to handle large sums of money at one time, but I don't remember that he made the statement that that was the reason for it. .... (67)

It was all in bills each time, all in bills of various denominations, some small and quite a number of them large bills; as large as one hundred dollars, a few 500 dollars. (67)

Q. What did he state to you at the time he made this first payment or the second payment in regard to dividing it up among the different members? Was there any change in regard to the \$3,500 apiece? A. The understanding was that the money was to be paid so as to equalize the matter, the monies received by all of the members; some of them having accepted the sum of \$5,000 from the Pacific States. I was very much opposed to their retaining any of that amount, and Mr. Ruef also advised them to return it but it was found that he could not induce them to do so and the others were complaining that those who had stood by the program were to receive a much less sum than the others who had received from the Pacific States, and it was causing dissatisfaction among them and Ruef settled the matter by adjusting it in this way; that those who had not accepted any money from the Pacific States were to receive \$6,000 and those who had accepted money from the Pacific States but had voted for the Home were to receive \$3,500 and those who had voted against the Home, whether it was at the request of the Pacific States or not, were not to receive anything. (67-8)

I paid in the telephone matter \$3,500 to Coffey, Coleman, Furey, Lonergan, Mamlock, Nicholas, Phillips and Wilson; I paid \$6,000 to Davis, Duffy, Harrigan and Kelly; and I retained \$10,000 myself. Those amounts that each was to get were fully understood and talked over between Ruef and me and he directed me to pay it to them. (68)

I never had any talk with anybody connected with the Pacific States in regard to this matter. Halsey talked to me a good many times but I never had any understanding with him of that kind and he did not make any proposition to me of any kind. In answer to your question if he knew I was taking program I say, no, that I had a number of talks before the Home franchise was passed by the old Board; the matter came up in the old Board when there was no proposition of money and it was thrashed out and the Pacific States prevented the passing of the ordinance at that time and I had endeavored to have the competing company receive a franchise and the promoters were all men I was well acquainted with and being a local matter I supported it. Braunhart was the leader of the fight for the Pacific States. I met Detweiler and had several talks with him at my office in which he urged the passing of the ordinance but did not mention money. He met Ruef in my







office three or four times. I think Ruef knew him before he first met him in my office. They met there by appointment. Generally Detweiler would come and say he would like to have a talk with Ruef and didn't like to go to his office, too many people, and wanted to talk in my office and asked me to telephone him and ask him to come down and I would do so and Ruef would come down and they would talk by themselves. .... (68-2)

I do not know who it was turned the telephone money over to Ruef. I do not know what Detweiler was doing there. I only knew he was representing the company endeavoring to get a franchise, and Judge North was also and he talked with him a couple of times but I do not think he met Ruef at my office. There was no meeting between Ruef and any one else connected with the company or otherwise in my office nor Thomas, Gerstle nor Frick. .... (69)

I do not know what Detweiler was doing there.

### OCEAN SHORE.

There was no money paid on the Ocean Shore to my knowledge. The understanding was that Schmitz favored it on account of Harvey and the members voted for it because of that fact and that it was a proper measure. Ruef did not say anything of consequence about the matter. He simply expressed himself as being indifferent about it whether it went through or not. (73&4)

### PARKSIDE.

There was nothing paid to any member upon the Parkside that I know of. There were some rumors about it and Ruef spoke to me about it and said there ought to be a payment of \$750 to each member on it and afterwards said that if the thing was changed to 19th Ave. there ought to be a thousand dollars each paid; he said that he expected to. He did not say he was ready to do so, on the contrary he has always denied that he had any money to pay it with. .... (74)

On the other matters Ruef never said he had the money before, he would say there will be this much coming; and the same in regard to Parkside, a thousand dollars. Q. And you passed it out in the same way? A. Yes sir \* \*- \* and it was put through with that understanding. .... (74)

I don't know why the Parkside money has not been given yet by Ruef. He said that the amount had not been paid to him. Yes indeed I have heard complaints from the members that they had been so long about coming through and I had complained to Ruef about and he made that excuse that he didn't have it. He never said that he did not expect it. .... (74)

### SPUR TRACKS.

There was no money being paid on Spur tracks that I know of. I was always opposed to any one taking any money for spur tracks or any other matter that the business interests of the city were concerned in and I am satisfied that if there was any proposition of that sort made to any member of the Board they would keep it from me. I was extremely hostile to any such proposition. Ruef never expressed any purpose concerning any spur track the Southern Pacific wanted except that on one occasion when the matter was being talked over in caucus he whispered to me that there was no hurry about that or to delay it and I paid no attention to it when I came to ~~make~~ vote. I favored





the passing of it as I did all spur tracks, proper safeguards for the business interests in the street. ....(74-5)

#### UNION STREET TROLLEY.

Ruef never talked to me about the Union Street trolley only in a general way as to the propriety of letting them have it; no conversation, agreement or suggestion about money. Ruef was careful about what he said concerning it and I got the idea he would like to see the privilege granted to them but did not care to say no. I got that idea of his attitude and it was more from appearances. I understood there was nothing to be paid on that. The same proposition would hold good as to the efforts to compel them to hurry up with the construction. We threatened to revoke the privilege on account of delay in reconstructing the roadway. .... (75-6)

#### SCHMITZ.

I never had a talk with Schmitz about matters where there was money. Ruef never said anything to me that gave me to understand whether he was paying the Mayor any money or not, nothing that would indicate that the Mayor was in any way interested financially in the matter. .... (76)



TESTIMONY OF SUPERVISOR GALLAGHER  
AT THE FIRST FORD TRIAL (No. 817).

THE LANCET LONDON 1901



### PRIZE FIGHT.

I had an agreement with the members that I should receive 5% extra for my services in delivering the money to them; that was agreed upon by all of them at the time; at the time the payment was made; before any payment was made; before I delivered the money I talked to them about it and it was agreeable to all of them; at the time I was delivering the prize fight money and before it was actually handed to them. I felt that for my services in handling the matter for Mr. Ruef and for the Board I should receive from them a payment in excess of the amount that they were receiving. So I spoke to each member as I made the payment to him and there was no member who objected but afterwards there was complaint that that 5% proposition would be abandoned and that then I would feel that I was acting simply for Mr. Ruef in the matter of distributing whatever amounts might be agreed upon and not jointly as representing both. That was early in February. If there had been any objection I would not have taken it from any of them; in fact upon several occasions some of the supervisors suggested that I ought to receive something from them for the service of delivering the money to them and I refused to take it. ....(326-8)

### GLADSTONE.

My confession was made after I met Spreckels at the Presidio, at the Gladstone Apartments; those who were present were Mr. Heney, the stenographer, and Mr. Burns was there part of the time.



and Mr. Spreckels was there part of the time I think. It is likely Owens was there while but I am not sure. My recollection is that my statement was made but was not written out and signed. I don't think I ever saw the statement written out. My remembrance is that the notes of the stenographer were signed. It was probably signed for the purpose of making certain that a statement was made. ....(329 & 30)

I received no money from any source for the purpose of influencing my actions as a member of the Board from any other source or any other proposition before the Board except \$975 in the prize fight, 1350 in the Gas, 10,000 in the Home, nothing in the Pacific States and 15,000 in the trolley. .... (330 & 31)

We went to the Gladstone I think it was the next day after I finally reported to Spreckels that the Board would accept the immunity proposition; I believe it was on a Saturday. .... (373 & 4)

Heney examined me at the Gladstone and he did not suggest anything he wanted me to testify to but simply questioned me as to the different transactions and he did not say anything to me about what any of the others had testified to. No other supervisor was present while I was giving my statement. Miss Condon was the stenographer. .... (375 & 6)

1. The first of these is the fact that the  
 2. second of these is the fact that the  
 3. third of these is the fact that the  
 4. fourth of these is the fact that the  
 5. fifth of these is the fact that the  
 6. sixth of these is the fact that the  
 7. seventh of these is the fact that the  
 8. eighth of these is the fact that the  
 9. ninth of these is the fact that the  
 10. tenth of these is the fact that the



TESTIMONY OF SUPERVISOR GALLAGHER  
AT THE SECOND FORD TRIAL (No. 823 )



Callaghan testified upon the subject but  
trolley in the second Lord Trial.





THE THEORY OF SCIENCE OR GALLAGHER  
AT THE TIME OF THE TRIAL (No. 812.)



PRIZE FIGHT.

The first time that any money was received by the Board was some time in the latter part of January and the first part of February and I got it from Raef and it was on the prize fight permit matter and was \$9,000. I took out \$7 for the collection of the money on the prize fight matter but I did not want any more. The members of the Board themselves suggested that and they were sorry afterwards they didn't do it. Q. They are sorry they didn't stay with you? A. I think they were justified in being sorry for it. There was \$600. for each member of the Board and what was given to me by the members on the five per cent proposition was received by me in addition.----- (231-4)

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Gas.

The next money that was received by me after the prize fight money was from Raef for fixing the gas rates and was some time in March I believe; the members of the Board received \$200. each except Lockman, and I received \$1500., making altogether I think \$15,300.----- (232-4)

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Telephone.

The next money I received after the gas money was the telephone money and I got \$10,000 for myself in that matter. Of course of the prize fight money, the gas money and the telephone money went into this safe deposit box and in that \$10,000 or whatever it was at the time I commenced making payments on the trolley matter. There was no other payment made to me besides the prize fight, gas and telephone before the trolley money.----- (234)

I think that I received altogether from the first of January down to the time the Grand Jury sat, something close to \$27,000 or \$28,000 and I testified at the last trial that I then had from 30 to 35,000 in money and that included those moneys that I had received in the ways I have mentioned. (235)

I received \$10,000 in the telephone matter the latter part of February or the first of March.----- (236)

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The first thing that I saw when I stepped out of the plane was a vast, flat, open landscape. The ground was a mix of brown and tan, with some patches of green grass. In the distance, there were some low hills or mountains. The sky was a pale blue, with a few wispy clouds. I felt a sense of freedom and adventure as I looked out over the horizon. The air was fresh and cool, and I could hear the sound of the wind blowing through the trees. It was a beautiful sight, and I was lucky to be there.

SECRET

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SECRET



TESTIMONY OF SHERIFF VISCOR GALLAGHER  
AT THE FIRST RUFF TRIAL ( N. C. 840. )



143-1118.

I remember that an application was filed by the Parkside Company for sale of a franchise in the early part of January 1936, shortly after we were installed. I had a talk with Ruef about it; some time after the application had been made Ruef spoke to me about it and suggested that the matter be delayed -- that there was no hurry in the matter and just to hold it back. I think Mayor Schwartz spoke about Parkside in the conference of the Board and spoke favorably of the proposition and I do not think that at that time Ruef had anything to say on the subject. Ruef spoke to me about it afterwards but just how soon after I could not say but it was before the matter was voted on by the Board and he said to hold it back, and that he said speak to me about the matter later on. I think I had a couple of conversations with Ruef on these lines but just how many I could not tell. Shortly before the matter was passed to print by the Board Ruef said to me that he was arranged to receive a check from the Parkside people to allow \$700 to the members and that he thought it was better he passed and he told me to see the members of the Board and let the Board that and tell them to pass it and I spoke to several members of the Board about it or to all that I could conveniently see before the matter was passed and I was informed them that it amounted to \$700, that was to be given to the members I advised them to pass the proposition. As a result of my talk with the members I told Ruef that the matter was all right and that it could be passed. (Hearing Session, May 8, 1936 - 44-4)

The members whom I spoke to were Coleman, Phillips and Wilson. I spoke to Phillips and he also said I could quite safely tell the Board about it. Q. Did you request any other member of the Board to call to any of them about it? A. Yes. In speaking to the various members of the Board I told them to speak to other members that they could see and tell them that the matter was all right and to pass it. I did not tell them to speak to the other members about any financial matters but to tell them that the matter was all right and to vote for it. (Hearing Session, May 8, - 44 - 5)

After I had that talk with Ruef the committee reported the matter back favorably to the Board. When the matter came up before the Board for passing to print I do not think there was any opposition to make any argument, nor was it case of for final passage. It is possible Mr. Green may have spoken but I don't remember. I was present when the matter was passed to print and voted for it prior to the time Ruef told me he would allow \$700. to the members. I think I think spoke to me favorably on the proposition. I know he did express himself favorably on several occasions and I think he spoke to me privately in favor of it. I did not express myself at the meeting but I was in favor of it and am satisfied. I told the Mayor I would favor it. The opening of this was the time place after the earthquake and fire. I remember that the matter was dropped at the time for the opening of this, the matter was simply passed along and nothing





done with it. The matter came up some time in the fall of the year. Shortly before the matter came up again Ruef told me the Parkside people wanted a change in route and that if the Board would pass the franchise in that way they would receive a thousand dollars instead of 750. and he asked me to see the members of the Board about it and I spoke to a number of the members about it and reported to Mr. Ruef that it would be all right; what I said to the members was that the Parkside people wanted the route changed and that in case the Board was willing to do that the members would receive a thousand dollars instead of 750. The members whom I told that to were Jennings Phillips and Wilson, Coleman and Buxton and I think that I spoke to several of the other members but don't recall the actual occasion of speaking to them.

(Morning session, Friday May 8, '08, ----26 - 32)

Between the time that the matter lapsed in May, 1906 and the time that Ruef took this up with me again and told me about the one thousand dollars I spoke to Ruef a couple of times and asked him as to the payment of the money and he said "Well they are not doing anything - I don't know what they will do, or whether they would take the franchise or not," and the matter fell off in that way and said that he would speak to me later and the matter went along in that way for probably three or four months. He denied receiving the money. (Morning session, Friday May 8, '08. - 32)

I voted for the passage of the first of the second application and I think there was a remark made by some member of the board there in that matter but I don't remember of any one else appearing. (Morning session, Friday May 8, '08.-----32)

In one of these talks with Ruef he said that he would settle later upon the amount that I was to receive and that I would get more than the others and that was in the conversation when he spoke of the amount that would be allowed to each member of the board. That is the conversation in which the \$750. was mentioned. (Morning session Friday May 8, 1908---33)

Subsequent to the passage of the order on 19th Ave. I had talked with Ruef about the payment of the money, a number of conversations with him about it and in these conversations I frequently told Ruef that the members of the board were importuning him for money and he said that he had not received it and that as soon as he received it he would let me have it. I cannot fix definitely when I had that last conversation with Ruef about the importuning, but it was shortly before Ruef went out to the Trocadero.

(Morning session, Friday May 8, '08.-34)

I went to the Casino luncheon and I think I there expressed myself as favorable. (Morning session, Friday May 8, '08-----34)  
Q. That you used the language, "I think" as contradistinguished from the language "I am satisfied", which you have interpreted to us here, is the same degree of certainty to be given to your testimony when you say "I think" as when you say "I am satisfied"? A. I intend to look at those assertions to mean when I say "I think" that I am not absolutely positive about a thing. When I say "I am satisfied" I mean that I state that positively. (Morning session, May 8, 1908. Friday---45)

At the Parkside luncheon my recollection is that the mayor said that the franchise of the Parkside ought to be granted and that it would be a good thing. I think Mr. Green spoke to me about Parkside at the committee room the day and I told him I was in favor of it. I suggested to some of the members of the committee to post one in opposition of it but I never opposed by argument or otherwise either privately or publicly.

(Afternoon session Friday May 8, '08,----- 3-11)



Previous to the Parkside luncheon Rief requested me to post-  
pone action on it, but I did not mention that fact to the  
Mayor or Green. (Afternoon session, Fri. May 2, 1908-----13.)

I will not swear positively and without reservation that I  
had any talk with Rief before Parkside before Cas-  
ino luncheon, but I am not quite sure I had one. I am satisfied  
that talk was inside of thirty days and about a week or ten days  
before the luncheon. (Afternoon session, Fri. May 2, 1908-----21-3)

The only talk with Rief that I remember that I started  
about Parkside was the one at the luncheon, I am talking of  
only a brief personal conversation. The Mayor spoke about  
Parkside at the conference and I did not have that personal  
talk with the Mayor at the Casino Restaurant I never had it at  
all.------(A Afternoon session, Fri. May 2, 1908-----24)

The only personal case before the Board in the early  
part of January 1908. It was before the first meeting were  
in order; I think action was taken by the Board on the Park-  
side case in March. It had been referred to committee on Pub-  
lic Utilities of which Benton was chairman, and the other mem-  
bers were Nicholas, Coleman, myself and another member, pos-  
sibly three or four members. Benton was chairman of that com-  
mittee. There was no opposition to it that I know of. I think  
there was a complaint about the supposed connection with the  
United Milling and I do remember that Troy and Johnson op-  
posed it. I think the chairman was opposing it. I have no  
recollection of the Mayor or interview about Parkside and munici-  
pal ownership. I am quite sure in brief space to be before the  
Parkside luncheon about the chairman's attitude toward the  
matter.------(A Afternoon session, Fri. May 2, 1908-----24-28)

I think I talked to Rief about Parkside about a few days  
after the Casino luncheon, less than a week. He told me to  
hold it back and I agreed to do so. The steps that I took to  
hold it back was before the luncheon was to tell the members  
of the committee to hold it back and I think I told him that  
Rief said so, and I spoke to Benton, Nicholas, Coleman and  
others. It is possible for me to say whether  
it was before or after the luncheon that I told Benton to hold  
it back or the others that I have mentioned. I have no re-  
collection of speaking to Rief about it. I think I spoke  
to him about it. I don't remember speaking to Rief about  
about it or not. I think I spoke to Benton. I have a distinct  
recollection of speaking to Rief, but I have no recollection I did.  
I don't remember speaking to Coffey. .

(Afternoon session, Fri. May 2, 1908----- 38-  
48)

I have no recollection at all as to who it was that  
first told me to postpone or hold back the Parkside mat-  
ter and it is impossible for me to tell you just what the  
initial conversation between Rief and me on this subject was.  
I don't remember that Rief told me his motive or object in  
requesting me to hold it back or that he said anything  
about that. I don't remember making any reply.

(A Afternoon session, Fri. May 2, 1908----- 4-50  
5-50)  
My first talk with Rief about the Parkside franchise  
was after the application was in to the Board, and of that  
was a week or two or three weeks before the  
luncheon I am not sure. (Afternoon session, Fri. May 2, 1908-----50  
5-50)  
It was after the application had been made that Rief told me to go  
and see the members and that they would get 25%. In fact  
the Parkside ordinance. I have no recollection of seeing the  
committee or members of the Board or Rief.

(Afternoon session, Fri. May 2, 1908-----61)







Before Ruef told me to hold back Parkside in connection with the matter over with either Borton or Coleman, Lavin, McCushin, Nicholas, Kelly, Rea, Samer-son, Furey, Phillips or Coffey or asking what their views or desires were, and I don't think I ever addressed the committee on the matter. I did not question any of the members whether money was necessary in the thing before Ruef talked to me about money in it. I would have voted for it without a cent if Ruef asked me to.

(Afternoon session, Fri. May 8, 08 -----53-4)

It was just a short time, a few days previous to the action of the Board that Ruef told me about money in Parkside. That would be about the time that the committee reported it back to the Board. I should think it was within a week previous to it.

(Afternoon session, Friday May 8, 08, 54-5)

I have not been paid any money on the Parkside proposition.

(Afternoon session, Friday May 8, 08, -----56)

After the talk with Ruef about the money in Parkside I went out and spoke to the supervisors. It is impossible for me to tell you the order in which I spoke to them but it was as quickly as I could get hold of them and I think was in a few days. I think there was quite a number of the Board that were not ready to support it. I think Wilson is one who told me he would not support it before the money talk with Ruef and I think Nicholas and Phillips did so, in fact the great majority were saying they were not prepared to support it; but I don't remember of their giving me any reasons. They did not ask me to see Ruef about it but I can remember and yet they may have done so.

(Afternoon session, Friday May 8, 08, -----57-60)

What I said to the members when I told them to hold it back or postpone it was that I said that Mr. Ruef said simply to postpone and see what those people were going to do. In my talk with Ruef he expressed the idea that he wanted to see what these people would do and wanted us to hold the thing back and to ask the members and have them hold it back and either the expression "he would see" or "we would see what they were going to do" that was in substance the expression. And that I reported to the members and I told them to hold it back until we could see what they were going to do or Ruef said he would see what they were going to do. It is true that the present moment is the first time in the examination today that I have put in the idea about seeing what they were going to do.

(Afternoon session, May 8, 08, Friday-- 50-2)

I told Phillips there would be \$750. to be paid to each of the members in Parkside matter if they voted for it and he said all right; and the same with Coleman and Adams and Borton and Wilson and all the rest that I spoke to. I don't think that I spoke to as many of them upon that proposition as I did concerning the money but practically the same.

(Afternoon session, Friday May 8, 1908--52 & 3)

The substance of my first conversation with Ruef about the money deal in Parkside was that he said in substance that he could get enough to allow each member \$750. in the Parkside and to see the same and let them know that and to let him know whether it would be all right. And I told him that I would see the members of the board and let them know and I spoke to the members of the board. He told me he could get enough more to allow the members of the board \$750. and requested me to go out and see them and see whether they



money. I don't think I asked him how much I was going to get but I think he mentioned that we would fix that up later and of course that I would get more than that amount.

(Afternoon session, Friday May 8, 1968-----63 & 4)

And subsequent to that money talk with Ruef I went out and saw the supervisors and had the talk which I have given you and after that I went to Ruef and told him it was all right and that the matter would be passed and that they were willing to accept that amount.

(Afternoon session, Friday May 8, 1968-----64)

About six weeks after the fire was the time that I had the additional talk with Ruef about money in the Parkside.

(Afternoon session, Friday May 8, 1968-----65)

With regard to my testimony at the Gladstone with respect to Parkside I say that the signing of the notes was done without the matter being transcribed at all and there was no memorandums there and some of the statements there were made without reflection.

(Afternoon session Friday May 8, 1968-----66 & 6)

I did not make the statement about Parkside before the Grand Jury which you have read to me. My explanation of that is that the reporter evidently got my statement garbled and stated there as I state here that nothing was said in that matter, that was the principal thing the Grand Jury was inquiring about at that time, and as to the understating with Ruef about it I did not state as the Grand Jury statement has reported it. That there would be and not there ought to be. I am satisfied that I used the expression "ought to be". I have no recollection of using the expression before the Grand Jury which you called my attention to, but Ruef did say that "He expected that" to" and that he would, but he never did. I don't remember about the expression "rumors" but it is possible that I may have said it but not in that sense. I will not say that I did not say before the Grand Jury in answer to the question whether there was an understanding in regard to the money being paid on the Parkside, that there were some rumors about it, but it is absolutely true. I don't remember using the expression there that Ruef said that there ought to be" a payment of \$750. to each owner. I am satisfied that I did not use that expression but it is possible for me to say positively that I did not, and I say the same with reference to the statement there that Ruef afterwards said "That there ought to be" \$1,000 each paid.

(Afternoon session, Friday May 8, 1968-----66-70)

I cannot give you the exact date that Ruef first spoke to me about getting the \$250.00 extra for the supervisors on Parkside. I think it was in the latter part of September or the first of October. (Morning session, Saturday May 9, 1968-----8

I don't remember particularly making any offer in the Parkside matter to McGushin or Nea. I think I spoke to Lunder or about the matter but I am not absolutely positively. I don't remember whether I spoke to Duffy or not.

(Morning session, Saturday May 9, 1968 -----8 & 9)

When I spoke to the supervisors about the \$750. in Parkside I told them they would get the \$750. when the franchise was granted to the Parkside people. I think some of the officers asked the question so I told them that when the thing went through they would get the money but I don't know which ones asked me that. (Morning session, Saturday May 9, 1968-----9 & 10

Q. Was it a general thing for you in making the statement to make it to all of all of them you spoke to or was it







an exceptional thing for you to do so, and would the supervisors say, all right, I will accept it but when am I going to get it, and you said, when it is finally awarded to the Parkside people? A. That would not be said to them unless the question was asked. I don't want you to understand that I made that particular statement to everyone of the board of supervisors. It was not the custom to do that on matters that were pending before the board until that would come up. I would speak to two or three or them and those of them that I would meet---the leading members of the board ---and they would pass the word along and the matter would be passed along in that way, and they would speak to me about it. And the matter would be discussed once in a while, but I cannot remember what was said by the member or what I said to each member or what each member said to me.

(Morning session, Saturday May 9, 1908--10)

I don't remember whether I told Phillips he would get the money after the Parkside franchise had finally passed nor whether he asked me and I say the same as to Wilco, Coleman, Baxter and Nicholas. (Morning session, Saturday May 9, 08, 11)

Between the date of my statement to the supervisors that they would be paid and the date of the fire I don't remember positively seeing Ruel for any money on Parkside.

(Morning session, Saturday May 9, 08-- 11)

With reference to the L&NCO. extra, referring to the second conversation with Ruel subsequent to the fire it is impossible for me to tell you who was the first supervisor I spoke to on that subject. A. Name those to whom you did speak concerning the L&NCO. additional. A. I spoke to Mr. Wilco, Mr. Phillips, Mr. Coleman and Mr. Loxton. I requested Mr. Wilco to speak to the other members of the board -- all of them -- said to let the other boys know about it.

A. Can you explain the coincidence that the first time you spoke about the money to be paid, the L&NCO, the second time you spoke concerning the L&NCO, and every time you were asked about it, each time you named the same men? A. Yes I can explain that. A. I wish you would. A. I saw these men that were the most active members of the board; men that I was out frequently meeting there and with whom I conversed with most, and I spoke to those men not only upon this but upon other propositions. It was my custom to do so x x x and I remember speaking to these men about it. (Morning session, Saturday May 9, 08-----11 & 12)

Between the time the extra L&NCO. was suggested in the Parkside I do not remember that I made an application to Ruel to pay the L&NCO. Ruel spoke to me about the matter and said there was nothing doing with it just then and that he did not know whether they would want the franchise after the fire or not but that he would talk to me later about it, and we did talk about it a number of times, but just the first time and the time I could not tell. It is impossible for me to tell you who I first talked with Ruel about Parkside after the fire, but my best recollection is probably a week after the fire and not more than two weeks. He simply spoke to me concerning the fact that he thought the Parkside would possibly not want the franchise. I do not know whether he or I opened up that conversation but I think he did; I do not think that Ruel was mentioned then. I think the first time Ruel was mentioned in connection with Parkside after the fire was that Ruel spoke to me concerning the interest of the board about the latter part of

55

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September of the first of October. There was kicking after the Parkside Bill passed to print among the members that the \$7500. had not come through and it was by the members generally. I believe five or six complained to me about it and they told me that the others were complaining about it. The members that spoke to me about it were Bxtor, Wilson, Phillips, Coleman and probably some of the others. Between the time I told them there would be \$750. in it and the time the route was changed there was inquiry made of me about the \$750. and I told them what Ruef had said concerning the delay. That was before the offer of \$1000 and was at different intervals between the fire and the change of route, different ones would speak to me about it.--(Morning session Sat. May 9th, 1908----13-19)

The members were not told by me that there was any such contingency as that the \$750. was contingent upon their vote and contingent upon the Parkside people getting the franchise; I did not go into these matters in detail. Of course if they reason it out for themselves that if the franchise was not granted that they would not get any money I don't know but I did not put it to them that way but I did tell them when they asked me when the money was coming through that it was when the franchise would pass or be granted.

(Morning session, Sat. May 9, 1908----19-22)

The money was to be paid after the franchise was advertised for and they were awarded the franchise on their bid.

(Morning session, Sat. May 9, 1908-----23-9)

My recollection of the conversation in which Ruef told me \$250. extra is that he said that the Parkside people wanted the franchise changed from 20th Ave. to 19th Ave. and that if the Board would pass that franchise that they would allow or that he would allow \$1000 instead of \$750. to each of the members and he asked me to ascertain from the members whether or not that would be acceptable to them, whether they would accept that proposition and I simply said "All right, I will see them." I do not remember of anything being said in that talk about my compensation by way of raise. Up to that time it had not been fixed what I was to get in Parkside except that it was understood that I was to get more than the others and up to September or October from Ruef that I was to get, not to my recollection and I never did from that time in September or October to this.

(Morning session, Sat. May 9, 1908-----29-31)

My best recollection is that I went to see the members of the Board as soon as I could conveniently see them after this talk with Ruef about the change of route.

(Morning session Saturday, May 9, 1908----31)

My best recollection of the substance of the conversation that I had with Ruef in September or October, 1908 about the change of the franchise was that Ruef stated the Parkside people wanted 19th Ave. instead of 20th and that there would be \$250. additional to the \$750 to each member if the change was made and the franchise was granted on 19th Ave. and he asked me to see the members and see if that could be done and I told him that I would see them and I spoke to some of the members. Up to that I don't remember that there had been any demand or request made by me upon Ruef for any of the \$750. apiece money; but I remember speaking to him about the Parkside matter as to their completing the transaction--some of the members had spoken to me about it and I spoke to Ruef and that was before this talk with Ruef about the







\$250 extra. I do not remember of any member coming to me and demanding the \$250. but my recollection is that they came to me and wanted to know why the Parkside matter was not closed up and the money received and that was before the application for the new franchise was made; they spoke probably several different times and running over a period of perhaps a couple of months until up to the time when this final proposition came from Ruef. It was sufficiently long after the fire to make the members feel that they wanted the thing settled up. I should say it was a month and a half or something like that after the fire. It would not be possible for me to tell you who the men were who first came to me and asked me about that money after the fire. My impression is that it was some of those who were most active on the Board; probably Wilson and Borton did speak to me about it but I am not positive. Some of them came to me and spoke about it but I cannot tell which ones.

(Morning session, Monday May 11, '08. ---9-13)

When the members came to me to inquire about the Parkside money after the fire I told them that it was undecided as to what the Parkside people would do and that they did not know whether they would go on with the proposition or not. As to your question as to whether I ever went to Ruef between the time he spoke to me about the \$250 extra and the time of the fire and asked him whether the Parkside people wanted to go on with that franchise or not and told him that the Board were annoying me about it, I recollect that I spoke to Ruef about it more than once; it would come up once in a while. My best recollection is that he told me they were undecided; I told the members that. Their talk had reference to the \$750 each and to the entire proposition. Quite a number came to me and asked what was the matter and I told them I would see about it and I gave them the result and my inquiries were limited to Ruef. I don't think I bothered Ruef every time some of them spoke to me about it but I would give them the result that the situation was undecided. I would not say that practically all of the supervisors spoke to me about that matter after the fire and before the October proposition. I don't think as many as ten did; the closest that I could come would be to say that three or four spoke to me about it; but you must remember this in explanation of that, it is customary for them to talk among themselves and I know when two or three would speak to me about it that the others would get whatever information was given. I did not have to go and talk to each member of the Board but I would not say positively that this man spoke to me about it or that man. I cannot say positively that I talked to any particular man. When I went back to the supervisors with the new proposition I cannot tell whether those I spoke to included the ones that had spoken to me about the proposition because I have already said that I have no positive recollection of them who spoke about it to me; it is possible that the same man may have spoken to me about it two or three times.

(Morning session, Monday, May 11, 1908, 14-21)

I remember that as soon as I got that offer of \$250 in the Parkside I talked to the supervisors as soon as I conveniently could and it would be the latter part of September or early in October and I could not tell you who was the first one whom I talked to. I am positive that I talked to Phillips about it and told him that if the Board would make the change the members would receive a thousand dollars each and as I recollect it he agreed to it at once. I spoke to Coleman



about it and he agreed to it and likewise Wilson. Q. As a matter of fact, Coleman, Wilson, Jennings, Phillips, and Nicholas the same-- talked to him about it? A. Yes, I am pretty certain I talked with Nicholas. I would not be so certain of Nicholas as the others. I think I spoke to Davis but I am not certain and I would not be certain about Furey but I think I did. I cannot be certain and I would not be certain about Kelly, I don't remember talking to McGushin. I could not be positive about Sanderson and I don't remember talking with Rea and I am not positive about Coffey nor Kelly nor Harrigan but I think I spoke to Harrigan. I don't remember positively talking to Walsh. I did talk to Roxton.

(Morning session, Monday May 11, 1908-----31-36)

After I talked with these supervisors the second time I told Ruef in substance that it would be all right. I did not do that until I was satisfied that there would be sufficient to vote for it. I don't think I told Ruef whom I had seen.

(Morning session, Monday May 11, 1908-----31 & 2)

After I made this offer to the supervisors I did speak to Ruef about the payment of the money. My recollection is that I spoke to him several times about the money. I cannot give you the date of the first time I spoke to him about it, but it was some time after the bid of the Parkside people had been accepted and my best recollection is that I spoke to him three or four times. The first time I spoke to Ruef about it was either the latter part of 1906 or early in 1907 and previous to the middle of March, and I said in substance to him that the members were importuning me for money on the Parkside matter and Ruef said he had not received it, he said he would get it as soon as he could and would let me have it as soon as he got it. I talked with him along those lines several times in the interval of perhaps a few days or a week between; every two or so or a few days. The members who were importuning me were Wilson, Coleman, Phillips, Roxton and I think Davis but I would not be sure about Davis; I don't remember Rea speaking to me about it or Sanderson or Furey or Kelly or Coffey; Yes, I think Coffey spoke to me about it. I think Harrigan spoke to me about it. I don't remember of Walsh doing so; I could not say positively about Nicholas. I am certain it was within thirty days before Ruef went to Trocadero after I last spoke to him about giving me the Parkside money.

(Morning session, Monday May 11, 1908-----35-7)

2 Q. Away back early in November prior to this importuning that was going on every week or two weeks as you have testified, you read in the newspapers that Rudolph Spreckels had guaranteed a fund of \$100,000. had you not, for the graft prosecution in this town, and that Mr. Heney would come into it, and you read in the newspapers had you not, of the appointment of the grand jury by Judge Graham and the statement in general at that time and you read, had you not, of the appointment-by-the-grand-jury-by-Judge-Graham-and-the-statement-in-general-at-that-time-and-you-read-had-you-not-of indictment of Mr. Ruef for extortion five times in the French restaurant cases, and you had known of his arrest upon those charges and that the grand jury had been attended by Mr. Heney and that he had been appointed as assistant District attorney and was acting as such all this time, all this time that you were asking Ruef for money, is that true? A. That is correct. (Morning session, Monday May 11, 1908, 37 & 8)



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 08-19-2008 BY 60322 UCBAW/SJS/KSP/STP

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1863. It is a very important document, as it contains the President's message to Congress regarding the state of the Union and the progress of the war. The letter is written in a formal, official style, and is signed by Abraham Lincoln.

1. The first is the fact that the United States has a long history of supporting human rights around the world. This is evident in the many treaties and agreements that the United States has signed, such as the Universal Declaration of Human Rights and the American Declaration of the Rights and Duties of Man. The United States has also been a leading voice in the international community for the promotion of human rights, and has provided significant financial and technical assistance to human rights organizations and programs around the world.

[illegible]

1. The first of these is the fact that the Government has not been able to secure the necessary funds to carry out its policy of non-interference in the internal affairs of other countries. This is due to the fact that the Government has not been able to secure the necessary funds to carry out its policy of non-interference in the internal affairs of other countries.



At the time the Gladstone Statement was taken, Mr. Heney said that it was being taken for the purpose of being used by himself in the examination that might be necessary before the Grand Jury, or for future purposes, and he said that he desired to interrogate about the matters in which money had been passed to members of the board. There was no written immunity contract at that time. It was oral, and the foundation for it had been laid with Mr. Spreckels, but I spoke to Mr. Heney about it when I went to the Gladstone. That agreement was that the members who would tell the truth about the matters that were to be inquired into, would not be prosecuted upon those matters if they told the truth concerning those dealings. An immunity contract in writing was entered into subsequent to that by the district attorney, and it is the paper that you exhibit to me.

(Afternoon session, Monday May 11, 1908-----5-9)

Q. Mr. Gallagher, would you have opposed any matter that came before the board of supervisors from January 8, 1906, down to the end of that year, if Mr. Ruef had requested you not to do so? A. It is difficult for me to answer as broad a question as that. I certainly would not have opposed any matter that was within reason that Mr. Ruef would have requested me to support.

(Afternoon session, Monday May 11, 1908-----16)

As to all matters that did come before the board from January 8th, 1906, down to March 16, 1906, I would have supported any measure that Ruef wanted me to support without the payment of money; that was upon the ground of political loyalty to Mr. Ruef.

(Afternoon session, Monday May 11, 1908-----18)

The \$200 extra money in the Parkside was mentioned by Ruef to me in the first conversation that I remember about the change. I have stated that previous to that there were other conversations about it, but I will not be so positive as to that. But I know that there was that one conversation, and I fixed it approximately about that time, and my reason is that it was previous to the filing of the application for 19th Avenue.

(Afternoon session, Monday May 11, 1908-----26 & 27)

I want to make a correction in the record, page 32, testimony of the afternoon session session of May 8th, 1908, in this case, and towards the bottom of that page where I say that McGushin agreed and did not dissent. That is not correct as to McGushin. My recollection is that I was being asked by Nicholas, and so those answers were to Nicholas. I do not remember of having had any talk with McGushin about the \$750.00 over.

(Afternoon session, Monday May 11, 1908-----26 & 9)

The written immunity contract is dated July 30, 1907, and my recollection is that I got it at that time, and I think it was signed on that same day. I did not have any other contract in writing between Mr. Heney and Mr. Langdon on immunity, nor did anybody else have one for me. There was none signed in March that I know of. There was talk of Hixton having one, but I never saw it.

(Afternoon session, Monday May 11, 1908-----31)

There was nothing said about who should be the judge of whether I told the truth or not in this case against Ruef in the Parkside matter;

(Afternoon session, Monday May 11, 1908-----32.)



There was an understanding with Mr. Spreckels in the agreement I made with him relative to immunity, that the supervisors were to retain their offices until the end of their terms.

(Aftemoon session, Monday May 11, 1906-----34)

It is true that I had some influence with the members of the board, and it is more true latterly than in the beginning. I mean that after he had been in office five or six months, when I got better acquainted with the members and established personal friendly relations with them. I had more influence with them than before.

(Afternoon session, Monday May 11, 1906-----46)

A. Mr. Gallagher, did any member of the board of supervisors say to you at any time prior to your alleged talk to Ruef about the \$700. That they had put through the Ocean Shore franchise at the request of Schnitz, and that they would not put through the Lakeside franchise unless they were paid for it. A. I don't remember any conversation directed to me on that. I do remember that there was some talk among the members of the board about the Ocean Shore, and about having that put through, and the feeling that they had done quite a favor for the mayor in doing it, but I don't remember any statement concerning the Lakeside, and yet it may have been..... I remember that there was some grumbling about the Ocean Shore. Whatever it was that they said to me along those lines, I don't remember or reporting to Ruef, but still I may have, because I was seeing him right along, and I may have told him that there was some grumbling among the members of the board about the Ocean Shore.

(Afternoon session, Monday May 11, 1906-----48-50)

It was a part of my understanding with Spreckels, that the members should remain in office the rest of their term, and I did not testify on October 24, 1907, that there was no positive agreement that they should remain in office. I have always stated that I had no conversation with Mr. Spreckels. I never said anything about a positive agreement. That testimony you show me is correct. I may have talked to Mr. Heney about it, but I am not positive, and I am certain I did not talk to Langdon about it.

(Afternoon session, Monday May 11, 1906-----52-5)

I had a talk with Mr. Heney at the Gladstone in which I told him I had talked with Spreckels, and that certain things had been agreed upon, and I asked Heney if it was all right, and he said yes, that he had confidence in whatever Spreckels had to say, and thought it would be the proper thing. I do not remember saying anything to him then about actually holding office. In my conversation with Spreckels, I promised Ruef in my request for immunity as a condition to giving the Gladstone statements. I told him that the same opportunity should be granted to Ruef, and on the Sunday following, I told Ruef that Spreckels had stated that he was not actuated by vindictiveness towards him, and that he was willing that Ruef should be granted immunity upon the same terms that had been granted to members of the board, and Ruef said that he would consider it, and I told him an answer would have to be given before 10 o'clock on the next day. And I don't remember what Ruef said in reply. I think that in that talk at the Gladstone it was said that the contract would be put in writing, but it was not prepared at that time. Orens subsequently reported to me that he had it, and afterwards ad-







mitted that he did not have it.

(Afternoon session, Monday May 11, 1908, 17-62)

Mr. Speckels told us in that talk that he had no objection to Wilson remaining in office, and that he would take no steps to remove him.

(Afternoon session, Monday May 11, 1908-----63)

I am satisfied that the reporter did not get the particular statement from correctly where the expression is used "There were some rumors about it, and Mr. Ruff spoke to me about it" relating to Parkside. I will not testify positively that I did not use the word "rumor" but I am satisfied that I did not use it as it is reported there.

(Evening session, Monday May 11, 1908-----1)

Longman told me that he had received \$500 from Roy in the matter of the matter, and he was afraid it was a trap, and I took him to Mr. Ruff and Ruff told him to immediately return the money to Roy.

(Morning session, Saturday May 16, 1908-----3)

Q. Mr. Gallagher, when you went into office, you were ready to do Mr. Ruff's request on any matter, were you not?  
A. I would not say on any matter.....but on any matter within reason.  
Q. For instance, if Mr. Ruff asked you, as a matter of policy, or because he, Ruff, had received a large attorney's fee, or was promised one, to vote for it and do what you could to fix the gas rates at a certain sum, and to vote for an opposition telephone here in the city, or a permit for a prize-fight, or a permit and street railroad extension branch road-- you would have voted for it, wouldn't you? A. I think I would.

(Morning session, Saturday May 16, 1908-----13.)

### PRIZE-FIGHT.

Before I voted for the prize-fight matter, I had told supervisors that there was money in it. Q. Which supervisors? A. I spoke to Wilson, Coleman, Henderson. Q. Phillips and Boston? A. Yes, I spoke to Boston about it. I do not remember speaking to Phillips. Q. Nicholas? A. I am not sure of that. I probably spoke to him. I don't remember speaking to Hew, I think I spoke to Lewis, and I think I spoke to Mallock, but I am not sure of Mallock. I think I spoke to Harrison. I don't think I spoke to Gashin before the matter was voted on. I think I spoke to Furey, but I am not positive.

(Morning session, Saturday May 16, 1908-----29)

I remember talking with Wilson one evening after his election, but whether it was before he was sworn in or afterwards, I don't know, but I think it was afterwards, and to my best recollection, it was about the middle of January, and the substance of it was that he said he understood I would represent Ruff on the board, and I told him that that was correct, and he said "Well, whatever is going on the board, I will expect to talk to you about it", or words to that effect. I don't remember that it was any more definite than that.

(Morning session, Saturday May 16, 1908-----31)

My recollection is that the amount of money in the prize-fight matter was not mentioned in advance by me to any of the members, but that I simply told them there would be something coming through on that, or something doing on it.

(Morning session, Saturday May 16, 1908-----32)



I do not remember of any conversation with Phillips previous to vote on the prize-fight matter.

(Morning session, Saturday May 18, 1908-----33)

I got \$500 from Ruef in the prize-fight matter, and some from the supervisors, who gave me 5% commission, I think all of them paid it. The supervisors that paid me the 5% commission were Sanderson, Coleman, Davis, Harrigan, possibly Phillips. My best recollection is that they all did. My recollection is that Wilson suggested that he would be glad to give me the 5% commission, and three or four of the members spoke to me about it after the money was paid, and the others followed suit. It is not correct that I myself deducted \$25. and told them that that was my commission from each and every one of them. Several members spoke to me about it and the others followed suit.

(Morning session, Saturday May 18, 1908-----34 & 5)

I am not positive of telling the supervisors in advance that the sum would be \$400 in the prize-fight.

(Morning session, Saturday May 18, 1908-----39)

I do not remember speaking to Phillips on the prize-fight matter before the vote was taken.

(Morning session, Saturday May 18, 1908-----45)

I don't remember that testimony at the first trial which you read to me where it says that I said when the members complained of my 5% commission "that I would feel that I was acting simply for Ruef in the matter of distributing the amount that might be agreed upon, and not jointly as representing both." But if I used that expression, it must have been used with this idea in mind, that I was acting for Mr. Ruef; that in the matter of the amounts that were to be given to the board when Ruef would suggest to me that there was so much money that he could allow to the board on this proposition, and for me to ascertain whether it could be passed for that, that then, instead of saying to Mr. Ruef "Well, they ought to have more than that", or something of that sort, for the purpose of assisting the board in getting forecast of it, but I would simply leave it alone and pay no attention to that part of it. To the same extent it would express it as you say to say that I would not boost it on Ruef. They would not allow me the commission.

(Afternoon session, Saturday May 18, 1908-----12-15)

Have you any way of fixing in your mind at this time which supervisors you spoke to in regard to the prize-fight ordinance of its passage to print? A. Nothing that comes to my mind at this time, Mr. Heney. Q. What I want to get at is whether you here, or whether it is mere deduction, the things that you did in the same line? A. That is the only scene of which I can get at it. I don't recall anything that would fix it definitely. Q. So that, instead of its being a matter of recollection, it is more a matter of deduction from your practice in these matters? A. Yes sir. Q. You might be entirely mistaken as to any particular one? A. Yes sir.

(A Afternoon session, Saturday May 18, 1908-----47)

#### TELEPHONE.

I know a couple of members that were consulting with Wilson, they were Carey and LaLock, I think these men particularly used to consult with Wilson, and I first heard about that at the time of the telephone money, but whether it existed before then or not, I cannot say, but I think that consultation continued down to the time we went out of office. The offer of







the telephone matter, and all this grafting from Halsey occurred before the Home Telephone business had passed to print, and it was not until after it passed to print that they got any money on that. I understood they got money from Halsey before the Home Telephone passed to print.

(Afternoon session, Saturday May 16, 1908--33 &4

The Home Telephone passed to print on February 26, 1906, and the promise to the supervisors of money in that matter was made before the matter passed to print, but it would be difficult for me to state how long before, it was probably a week before I offered them money for the Home that I learned that Wilson and the others were obtaining money from Halsey. I think it was in the month of March that I paid them the money on the Home, sometime in the latter part of March.

(Afternoon session, Saturday May 16, 1908---35

### GAS.

Before I got the money in the gas matter, I had told some of them that they would get money in the gas matter, but I am satisfied that most of the members knew that there would be something coming on that. Q. All right, whom of the members of the board did you tell there would be money in it before the money came-- on the gas matter, I am talking about now? A. Well, my recollection is I spoke to the most prominent members-- those that would take the most active interest. Q. Tell us who they were? A. Mr. Wilson and Mr. Bockton. Q. Anybody else? A. Possibly Mr. Clemen--

Q. (Intg.) And Phillips? A. Possibly -- I would not be positive about Phillips:

(Afternoon session, Saturday May 16, 1908-----22-4

I could not say how long before the passage of the gas rates to print I had promised them money in that matter, nor can I give it approximately. Q. All right, how long after? A. I think it was but a short time, but as to the payment on the gas matter -- as to the passing to print statement as to what amount would be paid, that I am not positive as to the name of the members. But how long after it was passed to print -- after it was finally passed, I think the payment was made. Q. But the promise was made before? A. My recollection of that, Mr. Ach, is that the promise was made, but it was



not customary for me at that time to go around to each member -- I would not go to each member and tell him that there was so much to be allowed, but would speak to two or three, and the others would get information of it in that way, and that is the way --

(Afternoon session, Saturday May 16, 1908-----35&6)

I think it was pretty soon after the gas matter was passed to print, probably a few days after the gas rate was fixed, that I paid them each the money, that is all that got money, and I gave it to them myself. In every matter in which the money was paid, I paid it myself individually. When I made the offers to the members, I don't remember stating to them that it was to come from Ruef, and I don't remember telling them at the time I gave them the money, that Ruef gave it to me, and I don't think I did. I would not be certain that the offer to the supervisors in the gas matter was made before it passed to print. Possibly that was correct. I told you that very likely the offer was made before the matter was passed to print, but I do not want to testify positively on it, because at this time my recollection is not clear on the subject. I don't remember giving that Eldstone testimony as to gas, but the facts as stated in it are substantially correct.

(Afternoon session, Saturday May 16, 1908-----36-9)

In the gas matter, I did not speak to each of the 17 supervisors at least twice, nor to all of them once. I did not pay money to each of them, and have not so testified. My recollection is that I paid it to all except McGushin, and that would make 16. Q. And you spoke to some of them twice (in the gas)? A. Yes. Q. A few of them was it? A. It might be half of them.

(Afternoon session, Saturday May 16, 1908-----47&8)

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TESTIMONY OF SUPERVISOR GALLAGHER  
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PROCEEDING-----1358.

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WATER.

A special committee on water was appointed by the board consisting of the water committee and the chairman of the finance committee, and the chairman of the public utilities committee; the members of that special committee were Phillips, Borton, Kelly, Walsh and myself, and that committee was appointed some time after the fire-----237

Resolution No. 6939 was introduced by Supervisor Wilson before the appointment of the special water committee, and it was considered in caucus at the Mayor's office the Sunday preceding, the Monday when the resolution was adopted, and Ruef was present at that caucus and recommended the adoption of that resolution. Ruef stated to me that this resolution was necessary to clear the way for the consideration of another water proposition; the object of the resolution was to adjust the matter so that other propositions would be considered.-----237 & 8

It was not our intention in that resolution to abandon any valuable rights that the city may have secured, and I do not understand that it was its purpose to abandon Hetch Hetchy.-----237&9

On several occasions, between the month of January, 1906 and the month of March 1907, Ruef told me that he favored the Bay Cities water project, and he said that was the water proposition he intended to have adopted by the people.-----340

In those conversations Ruef said that if the proposition were finally approved and adopted, that there would be a large sum in it for the members, the largest sum that would come to them on any proposition, because it was the biggest matter that would come before the board. He said substantially that they would receive a larger amount than they had theretofore received or would receive for any other proposition. And he told me that he would see Supervisor Phillips and he would himself arrange to write the report and instructions and resolutions necessary and ordinance required, and he did prepare the report, and the resolutions, and they were presented by Phillips and the other members of the special water committee.-----240q1

I don't think any member of the committee read the report. Phillips brought it to the board on Monday July 23, 1906. I think Phillips handed the report to the individual members of the committee as they came into the room, and that they signed it. I just scanned it. That was the report eliminating all but the five propositions. I understood that the object of the report was to ultimately acquire the rights of the Bay Cities Water Co. The other four were included simply to give the engineers the opportunity of viewing some other systems, and it was stated by Ruef to me very positively that the Bay Cities Company was so much superior to any of the others, that it would undoubtedly be returned favorably by any competent engineers. Mr. Ruef always told me that the proposition he was going to try to have submitted to the people was the best of all of them. It was within a week after the fire that Ruef expressed the determination to acquire the Bay Cities for the system, and it was about that time that he stated it was a big thing for the members, and that there would be more money in it for them than in any other proposition that had come up or would come up.-----241 - 8

• • •



The figure mentioned in the offer by the Bay Cities Water Company was \$10,500,000.-----249

I am satisfied Ruef prepared that report-----256?

Ruef's position, with respect to Hetch Hetchy was that it was not in shape to be submitted to the people, and consequently, could not be considered by the engineers or by the board.-----257

Resolution 611, M.B., in a resolution directing the city engineer, Woodward, and Engineer Price, to make an investigation and report to the board on the Bay Cities proposition, it was agreed upon in advance with Mr. Ruef, we talked the matter over. I believe it was canvassed at the caucus the evening before. I think it was unanimously adopted.-----258 & 9

Resolution No. 716, M.B., containing the history of the proceedings to acquire a water supply for San Francisco was prepared by Ruef, I think. We talked the matter over.-----266

#### CROSS-EXAMINATION.

I think there were several resolutions passed by the previous board, committing the city to Hetch Hetchy alone, and it was for the purpose of avoiding that proposition that the resolution was passed-----270

During all the time that I was a supervisor, it was my knowledge that the government of the United States would never grant to the city the water rights of the Hetch Hetchy; and it was my understanding that the government had declined to do so, and I knew that the Turlock Irrigation District, and the people of Stanislaus County were opposing the efforts of San Francisco to get the Hetch Hetchy water supply-----275.

I understood that that resolution that was introduced by Wilson was to clear the ground and to away with the fact that Hetch Hetchy was the only system that could be considered, as we felt that up to that time the board was committed to Hetch Hetchy, and we desired to set that aside, so as to take up other water schemes.-----277.

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TESTIMONY OF SUPERVISOR GALLAGHER GIVEN AT THE  
PRELIMINARY HEARING IN THE CASE OF THE  
PEOPLE VS. RUFF IN SEPT. 4 OF THE POLICE COURT.

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TESTIMONY OF SUPERVISOR GALLAGHER given at the PRELIMINARY  
EXAMINATION in the case of THE PEOPLE versus RUEF, Dept. 4  
of the POLICE COURT.

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( The Reports of the various sessions are each numbered  
from page 1 on, and consequently the page references herein  
are to the respective pages of the particular sessions.)

PARKSIDE.

Parkside application filed sometime early in January  
1906, and I think it was sent to Public Utilities Committee  
and the Street Committee. I was on the Public Utilities Com-  
mittee and Boxton was chairman of it and Rea was chairman of  
the Street Committee. The members of the Public Utilities  
Committee were Boxton, chairman, Coleman, Kelly, Nicholas and  
myself and two others. The street committee were Rea, chair-  
man, Furey, Coffey and I think Wilson.

(Session of Wednesday, July 8, 1908-----20-22)

I had a talk with Ruef about the Parkside when the  
matter was under consideration by the committee, after  
the application had been made, but whether it was before  
its assignment to the committee or afterwards I would not  
be positive. I think that talk with Ruef was immediately  
after the matter was referred to the committee.

(Session of Wednesday, July 8, 1908-----22 & 3)

While the matter was in the committee the board were  
invited to go over the Parkside route and a number went  
about the middle of January, 1908. About a day or two be-  
fore they went out there I had a talk with Ruef about the  
matter. While we were out there we had a luncheon at the  
Casino and there were addresses made. The general tenor  
of the remarks of the supervisors who spoke was that it  
was an important matter and they would not decide it hur-  
riedly. My first talk with Ruef was before the Casino  
luncheon and he simply said the Parkside matter was com-  
ing up and he asked me to speak to the members and have it  
held back and I told him all right. Ruef further said at  
that time "We want to see what those people will do," to  
hold it back until we could see what those people would  
do, but I am not positive as to whether Ruef said to tell  
the members that "we will see what they will do", or  
whether that was simply addressed to me. It is impossible  
for me to say when and where the next conversation with  
Ruef took place as I had a number with him about that time,  
but I remember one with him during a period after the visit  
out to Parkside and the luncheon and the time when the or-  
dinance was passed to print. I think this conversation was  
a few days previous to March the 19th, the time when the  
ordinance was passed to print and Ruef then stated that in  
the Parkside matter he could allow or give to each member  
of the board \$750. and he asked me to see the members and let  
them know this and I told him I would.

(Session of Wednesday, July 8, 1908---24-32)

What I did afterwards in the matter was I saw a number  
of the members of the board of supervisors and spoke to them  
about it. I spoke to Wilson, Coleman, Nicholas---I believe  
I spoke to Nicholas but I would not be positive about it.

INVESTIGATION OF THE PROGRESS OF THE INVESTIGATION  
IN THE CASE OF THE BOMBING OF THE "MILITARY"  
ON THE 10TH OF JUNE, 1941.

1000

The results of the investigation of the bombing of the "MILITARY" on the 10th of June, 1941, are as follows:

### 1. The Bombing

The bombing of the "MILITARY" took place on the 10th of June, 1941, at 10.15 a.m. The bomb was dropped from a height of 1000 feet and exploded in the middle of the building. The results of the bombing were as follows: The building was destroyed, the ground was damaged, and the surrounding area was damaged. The results of the bombing were as follows: The building was destroyed, the ground was damaged, and the surrounding area was damaged.

The results of the investigation of the bombing of the "MILITARY" on the 10th of June, 1941, are as follows: The bomb was dropped from a height of 1000 feet and exploded in the middle of the building. The results of the bombing were as follows: The building was destroyed, the ground was damaged, and the surrounding area was damaged.

The results of the investigation of the bombing of the "MILITARY" on the 10th of June, 1941, are as follows: The bomb was dropped from a height of 1000 feet and exploded in the middle of the building. The results of the bombing were as follows: The building was destroyed, the ground was damaged, and the surrounding area was damaged.

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The results of the investigation of the bombing of the "MILITARY" on the 10th of June, 1941, are as follows: The bomb was dropped from a height of 1000 feet and exploded in the middle of the building. The results of the bombing were as follows: The building was destroyed, the ground was damaged, and the surrounding area was damaged.

I spoke to Davis and I think I spoke to Furey and Phillips. It is hard for me to recall the various members of the Board; there may have been others, undoubtedly there were but I do not recall them at present.

(Session of July 8, 1908-----32 & 3)

What I said to Coleman was that I made the statement to him that there would be \$750. paid to the members in the Parkside matter and I presented that proposition to the members I have mentioned.

(Session of Wednesday, July 8, 1908---33 & 4)

I had a conversation with Ruef shortly after the fire in which he spoke of the Parkside proposition and stated that he did not know whether the Parkside people would care to go on with that matter or not, that they were undecided and I had a conversation with him subsequent to this last one but the time of which I cannot fix except that it was between that last conversation I have just stated and the time of the passing to print of the final Parkside ordinance, and my best recollection is that it was some time in October, about the middle of October, 1906, previous to October, 1906 and after June, I think. The second application for Parkside was filed October 22nd, and it was passed to print in November, so the conversation with Ruef would be a little before the filing of the second application, either shortly before or shortly after the filing of the second application in the Parkside matter and he then stated that the Parkside people wanted to change the route and that if the change could be made and the Board passed the franchise for that street there would be a thousand dollars instead of \$750. as formerly suggested, to each of the Board and he asked me to speak to the members and report to him.

(Session of Wednesday July 8, 1908,--37-40)

Pursuant to that last talk with Ruef I did speak to members of the Board. Q. What members of the Board did you speak to? A. I spoke to Mr. Wilson, Mr. Coleman, Mr. Furey, Mr. Davis, Mr. MacLock. Q. Who? A. Mr. MacLock, Mr. Phillips -- probably -- well, I spoke to other members, just which ones I cannot recall now. What I said to the members was that the Parkside people wanted to change the location, and if the change is made there will be a thousand dollars in it, \$200 more than was promised in the matter formerly and asked if that would be satisfactory and they said all right.

(Session of Wednesday July 8, 1908, 42 et seq.)

I think I told Wilson in addition to speak to the other boys about it and he said that he would.

(Session of Wednesday, July 8, 1908----43)

I had at another time prior to that, had a talk with Wilson about speaking to other members of the Board and it was somewhere about the month of March or April before the fire and he then told me that MacLock and Furey had been talking with him about matters before the Board and that if anything came up in the Board that I wanted to have the members act favorably upon he would talk with them about it; I don't remember that Ruef's name was mentioned and I don't think that Wilson made any statement to me, just made the suggestion.

(Session of Wednesday, July 8, 1908----44&5)

The Parkside bid was accepted on December 31st, 1906,







and after the bid had been accepted I spoke to Ruef concerning the demands made by members of the board and I said to him in substance that the members were complaining about not getting their money in the Parkside matter and he stated that he had not received it. I had a number of conversations with him along that line and the substance of them would be that I would repeat to him the insistence of the members about receiving their money in the Parkside and he would reply that he had not received the money and for me to tell them that it had not come through yet and I did no report to the members. (Session of Wednesday, July 8, 1908, 43 & 44)

Q. Can you call any of those to whom you told it (that Ruef said the Parkside money had not come through yet, in answer to the insistence of the members.)? A. Yes; I think I told Mr. Wilson, Coleman, Phillips, Burns, Davis, I think Longmire was one that was complaining a good deal. My best recollection is I told him that the money had not been received. (Session of Wednesday, July 8, 1908-----48)

After the first conversation I had with Ruef in which he requested me to have Parkside held back I did speak to members of the board about holding it back. Q. and whom did you speak to on that subject? A. I spoke to Dr. Boxton, to Dr. Wilson, and my best recollection is I spoke to Dr. Nicholas and a couple of other members on the committee. It was discussed more particularly to the fact that I remember I spoke to Dr. Wilson about it, and I don't think that Wilson was on the committee; that Dr. Boxton was chairman of the committee, I remember speaking to him about the matter.

(Session of Wednesday, July 8, 1908, 49 & 50)

What I said to these members was to hold Parkside back and that Ruef said so. They said all right.

(Session of Wednesday, July 8, 1908-----50)

After the election of 1908 and before the board went into office in 1908, I had a conversation with Ruef in which he stated that there would be undoubtedly a number of other men before the board in which large interests, corporations, would be interested; that there would be large deals going on and he wanted me to represent him on the board. I do not remember that the word money was used on this point that he used would be equivalent to that, it would be the substance of it. My best recollection of it is that he simply referred to it as big deals in which there would be a great deal in it and that he wanted me to represent him on the board. I do not remember the use of the word money. (Session of Thursday, July 9, 1908,----2-4)

I think the Parkside luncheon was about the 20th of January. (Session of Monday, July 13, 1908, 24 et seq.)

~~The first conversation I had with Ruef about~~

at the banquet Boxton said something to the effect: "Well, you people are set in this business for your health, and we are set in this business for a health", or something to that effect. (Session of Monday, July 13, 1908, 25 et seq.)

The first conversation I had with Ruef about Parkside took place some time before the luncheon at the Casino, probably a few days before.

(Session of Tuesday, July 14, '08, 5 et seq)

My best recollection is that conversation with Ruef was after the appointment of the committee and that Ruef said in substance to hold the Parkside back or have the committee hold it back until "we see what the people are going to do."



The reason I add the words "until we see what the people are going to do" to what my testimony here three weeks ago was, because at the present time the substance of those words came to my mind as part of the conversation.

(Session of Tuesday, July 14, 1908----9 et seq.)

My talk with the Mayor about Parkside to the best of my recollection occurred after the Casino luncheon and I did not then tell him about the talk with Ruef.

(Session of Tuesday, July 14, 1908, 11 et seq.)

¶ I do not remember any conversation between the election of 1905 and the Casino luncheon in which I told Eurey that I was going to take care of him on the board or words to that effect. I had a talk with Eurey some time after he took his seat and the substance of it was that he said he understood that I would represent or was representing Ruef on the board and that what I would say on matters coming before the board would be the program, and I told him yes. I am satisfied I did not say that I personally would do anything for him. My best recollection is that I did give him to understand that there would be money in some of the propositions for his vote. It was more an intimation to him than a direct statement. I did say in effect that I would see he was treated fairly. He wanted some assurance that I was representing the organization. What I gave him was rather an intimation that if there was anything going on the board he would be looked after. Substantially what he wanted to know was whether he would be taken care of or treated fairly, and I gave him to understand that he would and I gathered that he would stand program. When I left him I felt he would stand program. I don't remember any other definite talk with Eurey where the subject of the talk was his willingness to stand program. I may have spoken to him in some specific matter out of a general conversation along that line. (Session of Tuesday, July 14, 1908----16-24)

¶ After Ruef failed to speak to other members and have them told Parkside from my best recollection is that I spoke to several of the members about it.

(Session of Tuesday, July 14, 1908-----24)

¶ My best recollection is that I spoke to Benton about holding it back, he was chairman of the committee. ¶ I spoke to Benton-- as whom else? A. To Mr. Wilson; I do not possibly as to many, but I may have spoken to him and it is my best recollection that I did. I have a recollection of speaking to McGavin or Phillips. I think I spoke to Davis. I have no recollection of speaking to McGavin and I could not say positively about Laverne. I think I spoke to Harrigan. I do not remember speaking to Walsh. I think I spoke to Kelly. I could not be positive about Coffey. My best recollection is that I spoke to Nelson. I cannot be positive as to Sanderson. My best recollection is that I spoke to Coleman. I do not remember speaking to Lally. My best recollection is that I spoke to Nicholas but still I am not positive about it: I do not remember speaking to Hon. G. Now, Dr. Gallagher, did you omit to speak to some of the members, believing that one would tell the other? A. That is my belief in the matter, was that I did not speak to would get word from the others that the matter was to be held back and that it is true not only of that but of other matters that would come before the 42- rd. Newburg. Q. And







principally in all matters involving money as it not?  
A. No, nor principally. Q. Mr. Gallagher, wasn't that answer--  
A. (Intg.) It would be more likely upon matters not involving money because they would be spoken of more freely among the members. Q. It was general custom to tell some members with whom you were more acquainted than to tell the other members, isn't that right? A. Well, that is true of a few members, to tell the others, but I knew as a matter of fact, Mr. Newburgh, that when I would speak to a few members about it that the information would spread among the members of the board and they would get the information. Q. That is, including the money matters? A. That would include money matters, yes. Q. That would include money matters. Oh, we have no trouble, Mr. Gallagher, about that definitely. Then you are positive only as to the supervisors as being spoken to when to delay the Parkside Executive. That is Baxter and Wilson? A. As to those, I am positive I spoke to, in fact, I am positive in my best recollection as to several of the others. Q. The reason of that, Mr. Gallagher, is, it was your custom to tell Baxter and Wilson and they would spread the news to the others; isn't that right? A. Let these two men put it in,-- (Intg.) Baxter, Wilson and I say? A. Wilson and Baxter. Q. Burey? A. And see, Burey, for some considerable time until I learned that he was in it is little consideration inside that I have spoken to you of heretofore and that there was Coleman and one or two others that would speak to. Q. Up to a certain time you told Baxter, Wilson and Burey to pass the word? A. No, that was not true, Mr. Burey. A. That is not correct. I did not use him for that purpose. A. After a while I found that when I would speak to two or three of the prominent members of the board, that the others would get the information without my telling them and then they would give it to the others. Q. In other words, they would take it for granted that you wanted that information spread to the balance of the members? A. I do not think that my -- on the contrary; I think that they simply gave the information to the others as a matter of routine to tell the others as something that they did not know before. Q. Apparent as important? A. That is the idea. It is not exactly as to say that I never believe I ever revealed it thereafter to a few with the knowledge that the other ones would get it anyhow; in some cases I would find that after speaking to a few of them when I would talk to the others about it I would find that they had the information already, and in some cases they would speak to me first about it before my speaking to them, and say "I understand you are so." And I would say that they got the information from someone to whom I had spoken.

(Session of Tuesday, July 14, 1936--25-31)

Q. You only speak to Baxter and Wilson about holding it (Parkside) back? A. No, my best recollection is that I spoke to some of the other members. xxx I would be more positive as to those two and then as to the others, but I cannot speak definitely as to the other persons that were spoken to about the proposition. (Session of Tuesday, July 14, 1936, 31 & 2)

My best recollection is that I spoke to Bell about holding back Parkside. (Session of Tuesday, July 14, 1936----45)



My best recollection of the substance of what Ruef said to me on Parkside was that he could get a sufficient amount to let each member have \$750. on the Parkside proposition and asked me to see the members and have the thing fixed on that basis if possible. My best recollection is that I told him I would see the members. I have no recollection of using the word "about" or the word "rumor" in my Gladstone statement about Parkside and I am satisfied that the reporter's notes of that are inaccurate. I am satisfied that I did not use the word "ought" in my grand jury testimony. I am satisfied that I used the expression "would be" and not "ought to be" and I did not use the word "rumor" before the grand jury.

(Session of Tuesday, July 14, 1908--52-80)

My present recollection is that before Ruef made the money proposition in Parkside, Wilson had stated that he was not prepared to vote for it. MacQuinn was against it, I think. And there were a number of supervisors who were talking about the proposition, but I do not remember of any of the others definitely stating their views to me on that subject; I know that MacQuinn was opposed to it, but I do not remember of his speaking to me personally. I do not remember testifying before the Superior Court in the trial of Ruef that I thought Nicholas and Phillips and in fact a great majority of the members were saying they were not prepared to support it but that answer would be substantially correct and that was my understanding of the position of the members.

(Session of Tuesday, July 14, 1908--64-71)

I do not remember that prior to the 11th of March, 1908, I ever told any member of the Board that any money was coming or was to come from Ruef.

(Session of Tuesday, July 14, 1908-----73)

In answer to your question whether I ever at any time up to the time of the Gladstone confession told any member that any money was coming or was to come from Ruef I say that my best recollection is that I talked with Wilson about it; he spoke to me about the matter first and I continued the conversation and I think that was before the earthquake and my best recollection is that some of the other members spoke to me about seeing Ruef and finding out about different propositions on which money was coming. But those conversations were not explicit discussions in which the statement was made that the money was coming from Ruef, because I avoided it at all times. In answer to your question again, I will say that I did not explicitly say to a person "This money comes from Ruef", but the reference to Ruef would be in such a manner that the person would understand it without it. Having stated explicitly the thing to him. I never mentioned the name of Ruef directly in any of the money propositions with the exception of Wilson of course. In other words, whenever I made a money proposition to any supervisor I never mentioned that the money was coming from Ruef, and I later actually omitted to do so.

(Session of Tuesday, July 14, 1908-----73-6)

Q. To how many of the supervisors did you transmit this alleged money proposition of Ruef, concerning Parkside? A. I could not say exactly. To my best recollection I spoke to probably a half a dozen of them, or maybe





more, I could not be positive about that. I should say probably maybe half a dozen-- Wilson, Boxton, Coleman, Harrigan, Percy, Phillips, and according to my best recollection Nicholas; I may have spoken to others but I do not recall them just now. (Session of Tuesday, July 14, 1908-----77)

I think when I spoke to Wilson about it I told him also to speak to some of the boys about it and he said he would. (Session of Tuesday, July 14, 1908-----80)

Now what did you say to Mr. Nicholas (on Paradise) and where did you say it to Nicholas and what did you say it to Nicholas? A. It is impossible for me to say just where and whom I spoke to him. I cannot give it any more definitely than I have heretofore, and I want to say, Mr. Newburgh, I do not recollect whether I spoke to Mr. Nicholas, that my best recollection is that I did but I cannot be positive about it. If Nicholas were to say that I did not speak to him or I spoke I could not dispute with him about it as my mind is not sufficiently settled on it. (Session of Tuesday, July 14, 1908-----83&4)

I could not be definitely positive that I spoke to Percy on Paradise, there is some doubt about it. If Percy were to say I did not speak to him I could not insist that he was mistaken. (Session of Tuesday, July 14, 1908-----84 & 5)

I do not remember talking to Rex or McDushkin or Hale about the money in Paradise. I have a recollection of speaking to Lewis but I could not be positive. My best recollection is I spoke to Kelly but I could not be sure but I do not remember positively talking to Keller and my best recollection is that I spoke to Anderson. I could not be positive as to Anderson, I do not remember definitely speaking to him or to Kelly. Q. And how about Nicholas? A. According to my best recollection I spoke to Nicholas about it but I could not be positive about Nicholas. There is some doubt in my mind about speaking to Nicholas, and my best recollection is that I did. (Session of Tuesday, July 14, 1908-----86 & 1)

Then I first spoke to the workers about the Paradise I simply stated to them that there would be \$750 in it. (Session of Wednesday, July 15, 1908-----20)

Shortly after the fire, I had a conversation with most, in which he stated that he did not know whether the Paradise people would care to do or with the matter, as that they were undecided. I did not touch the subject to him; he spoke to me about it. Maybe I broached it first. (Session of Wednesday, July 15, 1908-----34&9)

Two or three weeks or a month, or six weeks after the fire, some of the supervisors approached me on the Paradise proposition. Wilson spoke to me about it and I think Coleman. My best recollection is that Wilson asked what was going to be done, or what was the situation concerning Paradise. I do not remember about his speaking to me about the money not coming through at that time. To all of these people that spoke to me I simply said that the Paradise people were undecided, and that I would let them know if anything developed. I think Percy also spoke to me on the subject and made the same kind of an inquiry. (Session of Wednesday, July 15, 1908-----25-7)

The only supervisors that I remember who inquired me at that time about the status of Paradise were Wilson, Percy, and Coleman. I do not remember at present the others that spoke about the matter; I think Phillips probably did. My



understanding of the inquiry of the supervisors at that time was that they wanted to know the status of the whole proposition as to whether the Parkside people were going to take the franchise, and following that whether they were going to get their money, what would be included in their inquiry.

(Session of Wednesday, July 15, 1908-----31-4)

My recollection is that at the time I offered the \$750. in the Parkside some of the supervisors asked me when the money was going to be paid. The only two who did so that I can now recall were Borton and I think Phillips, but there may have been others, and my recollection is that I simply said the money would be paid when the proposition went through.

(Session of Wednesday, July 15, 1908-----34-7)

I do not remember whether Longman was one of those who spoke to me after the time about the status of Parkside, nor Harrison, nor Kelly, nor Walsh, I think Coffey did; I am not sure about Bullock or Vanier, or Duffy. I am not positive as to whether Nicholas was one of those who spoke to me or not.

(Session of Wednesday, July 15, 1908-----40)

My best recollection of the members that I told about the additional \$100. that would be paid on Parkside is the route and engaged were Wilson, Coleman, Phillips, Bury, Nicholas, Borton; and there are others that I spoke to whose names I cannot recall.

(Session of Wednesday, July 15, 1908-----41-3)

My best recollection as to the members I told that there would be a thousand dollars instead of \$750 in Parkside is the same of route went through were Wilson, Borton, Coleman, Phillips, Bury, Nicholas, and I think I spoke to Harrison, and some of these I am not absolutely positive about, and I think I spoke to some of the other members but I don't recall. I am fairly positive that I spoke to Borton.

(Session of Thursday, July 16, 1908-----16)

There were some members that did not think the money that was offered on Parkside was sufficient compared with what they considered the advantages that would accrue to the company in the matter but just which one made that objection I do not say. My best recollection is that Borton or expressed himself, and I think Wilson. I am not sure about Bury.

(Session of Thursday, July 16, 1908-----14-18)

My best recollection is that I spoke to Nicholas about the thousand dollars on Parkside, but I am not positive as to Nicholas.

(Session of Thursday, July 16, 1908-----18)

I am not positive that I spoke to Harrison about it or Bury; I think I did not speak to him or Borton, but I think I did speak to Kelly but I am not sure. I think I spoke to Longman but I am not sure. I am not positive about Walsh. My best recollection is I spoke to Kelly and Coffey and Bullock, and I could not be positive about Wilson; My best recollection is that I spoke to Borton, but I could not be positive. I do not remember talking to Duffy.

(Session of Thursday, July 16, 1908-----13-24)

The reason that I have so frequently mentioned Borton, Phillips, Wilson and others in answer to your questions about conversations with the Board is that these gentlemen were  
no.





more prominent upon the Board than most of the others, more active, and I was in the habit of seeing and talking with them more frequently than the others. I am not positive that I spoke to those gentlemen that first I spoke to the others in Parkside. (Session of Thursday July 18, 1902-----34 & 35)

My understanding about Lamont, Furey and Wilson, was that Lamont and Furey used to consult with Wilson; the three of them would get together and talk over matters connected with the Board, and Wilson was referred to as a sort of leader of the three, and was reputed by them to get information for the two and consequently he had more influence with those two than anybody else, and for that reason I would speak to him and ask him to speak to the other boys about it generally speaking by the other boys Furey and Lamont. The impression that I speak about that Wilson would get for those indirect information in other matters, or any conditions in which those boys were not so a while Wilson would come to me and I would go to him and tell him about certain matters, propositions with the request that he transmit that proposition to Lamont and Furey. At a general rule I would speak to Wilson about these matters, and would ask him to answer from it as to his position in the matter, and if they were satisfied, I would ask him to speak to the other boys about it. It would tell me that he would speak to them about it. That is the condition that makes the doubt in my mind concerning my speaking to Furey, the fact that Wilson after carrying my message to Lamont and Furey caused a doubt in my mind as to whether or not I spoke to Furey at all. Wilson would frequently come to me for information, and as to his understanding the fact that he wanted it for Lamont or Furey I have no recollection, although it is possible and I so understood it. I also knew that Lamont and sometimes it was in their conferences, and therefore I felt confident that that information I would give to Wilson would go to those other boys as well. I also about these conferences between Wilson, Lamont, Furey and Lamont because I was told by him in the first instance that I was the cause, that these boys were going together and talking and that Wilson had come to me representing those boys, and I would notice the freedom of relationship together. My idea of it was that he was not representing them altogether in those matters, but that they wanted him to get information for them about the same matters as other matters. I understood from the statements that these three boys were working together in a group, and getting on it the other day I spoke of it as a sort of a combination because it appeared a complete combination, because it at some time or another had been. However as Wilson or one of the boys said I was satisfied that I really do not recall that.

(Session of Thursday July 18, 1902-----36 & 37)

There was general discussion among the members after the time concerning the dissolution of the Board, and that business of dissatisfactions continued for a long time, brought about quite a number of conversations, and by understanding was that wanted to be done with them and settle it once and for all so that they could get their rest. The members who expressed that dissatisfaction were Lamont, Wilson, Harrison, Furey, Lamont, Coleman. There were others that I speak to but I don't remember just which ones at the present time. (Session of Thursday July 18, 1902-----37 & 38)



When I told the supervisors that they were to get a thousand dollars in Parkside those who asked me when they would get it were Phillips, Bxton, and perhaps Wilson. That is all I could mention at the present time, and as I said before, am not positive about them. Coleman may have, but I am not positive about him or Forey.

(Session of Thursday, July 16, 1908-----40

I would not be positive whether I reported back to Ruff that some of the members were dissatisfied that only a thousand dollars was to come through in Parkside, but I may have.

(Session of Thursday July 16, 1908-----44

My best recollection is that the Parkside bid was made and approved some time in the month of December, and I think that I first spoke to Ruff about paying us the thousand dollars or perhaps after that, and I said substantially that the men wanted the money, and that they had spoken to me about it; the members wanted me for the payment of that thousand dollars were, to the best of my recollection, Wilson, Bxton, Coleman, Phillips, Davis, Barragan, Forey, and, I think, LaLock. My best recollection is there were others that were to be, but I don't recall them at this time. They asked me if the money was not coming through. Some of them spoke to me a number of times. My recollection is that in the last conversation Forey had with me on the subject he said that there was too much delay about it, or that he thought the money was now paid by the company and either asked me to speak to Ruff or I told him I would. These importunings on the part of the members extended over a period of two or three months after the first of the year. I do not remember having anything to do with Ruff, nor Coleman. I am not sure of LaLock. I think Louergue did. I do not remember another bid was made or not; don't remember that Coffey spoke to me about it. I think LaLock did. I don't remember another complaint. My best recollection is that Nicholas made a complaint.

(Session of Thursday July 16, 1908----- 47-53

I am not positive what I mentioned Ruff's name at all in my way to any of the meetings of the board, my narrative wasn't going through. I think I just said that I would inquire into it and see whether the company wanted to go on with the proposition or not.

(Session of Friday, July 17, 1908-----4

I should think that about 18 out of the 19 supervisors spoke to me about the money not coming through in that Parkside matter.

(Session of Friday July 17, 1908----- 8

Whenever money was raised on a proposition, the usual custom was for some to go to see the members and speak about the matter, though on some occasions the members would speak to me about it.

(Session of Friday July 17, 1908-----17

#### PRIZE-FIGHT.

Shortly after the first of the year, 1906, a few days after the board went into office, I had a talk with Ruff about the prize fight matter, and he stated to me in substance that he could not get or would get from the prize fight promoters and the people who were interested in the prize fight matters, a





sufficient sum to give \$100 a piece to the members, and he asked me to consult them, speak to them about it and see if the matter could be fixed, and I told him I would do so, and what I did in pursuance of that was that I spoke to a number of the members of the board and stated the proposition to them. Q. Which ones can you enumerate now that you spoke to on the subject? A. I spoke to Mr. Santerson, Mr. Wilson, Mr. Coleman, Dr. Bxton, Mr. Harrigan. That is about all I can call at this time. I spoke to other members but I cannot recall just now which ones.

(Session of Thursday July 9, 1908-----5 & 7)  
I stated to the members in substance that there would be \$100. in the prize-fight matter, and they said that that would be all right.

(Session of Thursday July 9, 1908-----9 etc.)  
Within a day or two after I had spoken to the members and told them would be \$1. the prize fight, perhaps the same day I spoke to Ruof and told him that I had seen a number of members in the board and they were satisfied apparently with what they were to receive, and that the matter would be passed. And he said that he wanted me to see all of the members if I could so as, so as to be in touch with each member of the board, and I said that I would.

(Session of Thursday July 9, 1908-----14 & 15)  
I had a talk with Ruof sometime in February, if I am not mistaken, and it was either before the final passage of the prize fight, or before it had been approved by the mayor. I don't know whether it was before or after the final passage, and he said that he had the money in the prize-fight matter, but he did not say he gave it to him, and he counted it out and turned it over to me, \$9000; the larger part of it was in currency, and the rest of it in gold, probably \$2000 in gold, from a thousand to two thousand in gold.

(Session of Thursday July 9, 1908-----18 & 16)  
I paid \$475. to each member and kept the rest. Those payments were made by as soon as I could conveniently see the members, and I think it was within the next few days.

(Session of Thursday July 9, 1908-----18 & 18)  
I did speak to Ruof on the prize-fight money; I said to him that there would be \$100 in the prize-fight matter, and that was about the middle of January, a few days before the passage to print and I said to him in substance that there would be \$100 in the prize-fight matter, and he said all right.

(Session of Thursday July 9, 1908-----27 & 28.)  
My best recollection is that I spoke to some of the members about the money in the prize-fight matter about the time the ordinance was passed to print, and some I probably spoke to sometime in advance of that occurrence, and some I may have spoken to afterwards.

(Session of Tuesday July 21, 1908-----17 & 18)  
I do not remember talking to supervisor Rea on the prize-fight before the money was paid; my best recollection is that I spoke to Loxton before the money was paid and to Wilson. I do not remember talking to Murray previous to the actual payment of the money, nor Coleman. I am not positive about Phillips or Davis or Longergan. My best recollection is I mentioned the matter to Harrigan in advance, but I am not positive. I do not remember talking with Wilson in advance of the payment, or Kelly, or Coffey. I am not positive about Lock. My recollection is I talked with Santerson in advance of the payment. My best recollection is I spoke to Coleman in advance, but I am not certain. My best recollection



would be that I did speak to Wilson in advance. I do not remember speaking to him in advance of the payment of the money. Q. And how about Nicholas? A. I am not positive about Nicholas. Q. What do you mean by "not positive". To the best of your recollection you spoke, or did not speak to Nicholas? A. My recollection is that of his or the proposition, but I have a faint recollection of speaking to him, but I would not be sure of it.

(Session of Thursday July 21, 1908-----23)

It is impossible for me to say whether I paid out the prize fight money after the passage of the ordinance or not. My best recollection is that I paid out the money after that matter was voted on in council, after the matter was passed to prize. My recollection is that some of the members were paid before the matter was finally passed, and some of them may not have received the money until after it was finally passed, but my best recollection is that it was paid after it was finally passed to prize.

(Session of Thursday, July 21, 1908-----23 & 4)

My best recollection is that after the supervisors understood that I would take the prize fight money, either from my speaking to them about it previously, or at the time it was done. I gave you the name of Mr. Wilson as the man whom I agreed previously to make a contribution, and I think I am right. They spoke to me about it rather, and there may have been others who spoke to me about it. The proposition was pretty generally understood by the members.

(Session of Thursday, July 21, 1908-----23 & 4)

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that.

My first conversation with Ruff on the gas matter was shortly before the ordinance fixing the gas rate was passed to print. I think somewhere in the middle of February, 1908, and the substance of it was that Ruff asked George Wolfe \$720. for each of the members of the gas rate matter. The rate was either speaker of it that conversation or at another, and he said the rate would be fixed at 8 cents. The members at that time were discussing the 95 cent rate. I talked with Ruff over the entire rate fixing proposition including the 75 cent rate, and all the other rates. I did have talk with Ruff about the fact that the platform pledged us to a 75 cent rate, and he said that the people could not be made public for fixing the 95 cent rate and the gas company had not with reverses, etc.

(Session of Thursday July 9, 1908-----19-24)

In the talk I had with Ruff when he said there would be \$720. in it for the members in gas, the understanding was that I was to receive more than that amount, but the amount was not fixed.

(Session Thursday July 9, 1908-----24.)

Q. Did you have any talk with any members of the Board about the payment of the \$720? A. Yes sir. Which members of the Board did you talk with? A. I spoke to Mr. Wilson, Bixler, Coleman, also to---I spoke to other members but those are all that I can recall at this point as actually speaking to.

(Session of Thursday July 9, 1908-----25)

The talks with these members were just a few days before the ordinance fixing the rates was passed, and the substance of the conversations was that I told them there would be \$720. in





the gas matter, and they said that would be all right.

(Session of Thursday July 9, 1908-----25 etc.)

After I had the talks with these supervisors in which I told them there would be \$730. in the gas matter, I had a conversation with Ruef just previous to the passage of the ordinance to print, and I simply stated to him that I had seen some of the members of the board, and that the gas matter was satisfactory and would be passed in the way that he suggested.

(Session of Thursday July 9, 1908-----26 & 9)

I had another conversation with Ruef on the gas matter and I know it was after the ordinance had passed to print, and I think it was after the final passage of the ordinance but I would not be positive; my best recollection is that it was immediately after final passage, within a day or so; and Mr. Ruef then stated in substance that he was prepared to pay over the money and turned it over to me. I would not be positive as to the exact amount that he gave me that first payment, but it was probably seven or eight thousand dollars, and was in currency. A short time later, probably a day or two, Ruef told me that he would let me have the remainder of the money for the final payment in the gas money, and he counted out and turned over to me an amount sufficient to make the total of the two payments to me \$13,350. Both of the payments made by Ruef to me in the gas matter were in currency, and I paid it over to all the members of the board, except McGushin, giving them each \$730.

(Session of Thursday July 9, 1908-----28 & 31)

Q. Did you use the same money (that you received from Ruef in the gas matter) in paying them (the supervisors in the gas matter); the same identical money, I mean? A. I did to the best of my recollection.

(Session of Thursday July 9, 1908-----31)

The reason I did not pay McGushin in the gas matter is that he did not want it, and my recollection is that he did not vote for the 85 cent rate. Ruef knew that McGushin was not to receive any money on the gas matter, and I had a talk with him about that at the time Ruef turned the gas money over to me, and Ruef stated then that he knew McGushin was not to receive any. My best recollection is that that talk with Ruef about McGushin was at the time Ruef made me the first payment in the gas matter.

(Session of Thursday July 9, 1908-----31-3)

Q. Did you speak to each and every supervisor of the 17 on this gas rate proposition before it came up on final passage? A. My best recollection is that I spoke to a number of them. Whether I spoke to all of them I could not say. My best recollection is that I did not speak to Rea in advance, and that I did speak to Dexter in advance, and to Wilson and to Purdy. My best recollection is that I did not speak to McGushin. My best recollection is that I did speak to Phillips, but I am not certain, and my best recollection is I did speak to Favis, but I am not certain, and likewise Longman. My best recollection is I did speak to Harrigan. I do not remember speaking to Walsh, although I may have done so. It is possible I may have spoken to Kelly, but I do not remember it. I am not positive about speaking to Coffey in advance of the proposition, though I may have done so. My best recollection is I did speak to Harlock. I am not positive about Lammers, but my best recollection is that I did speak to him but it is indistinct.

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10. The tenth is the fact that the

1. The first two lines of the poem are:

Two roads diverged in a yellow wood,  
And sorry I could not travel both

2. The poem is written in iambic pentameter. The first line is:

Two roads diverged in a yellow wood,

3. The poem is a sonnet. It has 14 lines.

4. The poem is a narrative poem. It tells a story.

5. The poem is a lyric poem. It expresses the poet's feelings.

6. The poem is a dramatic poem. It is written from the point of view of a character.

7. The poem is a pastoral poem. It is set in a rural setting.

8. The poem is a nature poem. It is about the natural world.

9. The poem is a love poem. It is about love.

10. The poem is a war poem. It is about war.

11. The poem is a political poem. It is about politics.

12. The poem is a religious poem. It is about religion.

13. The poem is a philosophical poem. It is about philosophy.

14. The poem is a scientific poem. It is about science.

15. The poem is a historical poem. It is about history.

16. The poem is a biographical poem. It is about a person's life.

17. The poem is a autobiographical poem. It is about the poet's own life.

18. The poem is a fictional poem. It is a work of fiction.

19. The poem is a non-fictional poem. It is based on real events.

20. The poem is a poem of praise. It praises someone or something.

21. The poem is a poem of lament. It laments something.

22. The poem is a poem of protest. It protests against something.

23. The poem is a poem of celebration. It celebrates something.

24. The poem is a poem of mourning. It mourns someone or something.

25. The poem is a poem of hope. It expresses hope.

26. The poem is a poem of despair. It expresses despair.

27. The poem is a poem of joy. It expresses joy.

28. The poem is a poem of sadness. It expresses sadness.

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206. The poem is a poem of mourning.

1. The first step in the process of identifying a problem is to define the problem. This involves identifying the symptoms of the problem and determining the scope of the problem. Once the problem has been defined, the next step is to identify the causes of the problem. This involves identifying the factors that are contributing to the problem and determining the underlying causes. Once the causes have been identified, the next step is to develop a plan of action. This involves identifying the steps that need to be taken to solve the problem and determining the resources that will be needed to implement the plan. Finally, the last step is to implement the plan and monitor the results. This involves putting the plan into action and tracking the progress of the solution. Once the problem has been solved, the final step is to evaluate the results and determine if the solution was effective. This involves comparing the results of the solution to the original problem and determining if the problem has been resolved.

My best recollection is that I spoke to Coleman. I do not remember whether I spoke to Duffy or not. Q. Nicholas? A. I am not positive as to Nicholas, I may have spoken to him but I cannot say that is the case. To those supervisors to whom I did speak in advance in the gas matter, my best recollection is that I spoke to them, that in the gas and light matter there would be \$750. and that the rate was stated as 85 cents.

(Session of Tuesday July 21, 1908-----47-9)

There was considerable discussion in caucus about the gas rate to be fixed prior to the making of that offer. My best recollection is that McGugin advocated the 75 cent rate, and there were some others that spoke of the 75 cent rate.

(Session of Tuesday July 21, 1908-----48 & 50)

My best recollection is that it was after the final passage of the gas rates that I made payment to the supervisors but I am not positive about that, but I did make the payment to them about that time.

(Session of Tuesday July 21, 1908-----51)

My best recollection is that all of them were paid by me the sum of \$750. in the gas rates, except McGugin, and the balance was retained by myself.

(Session of Tuesday July 21, 1908-----52)

My best recollection is that I received the gas money from Ruef in two payments. My best recollection is that I gave the gas money to the supervisors in one payment. I think there was but a few days intervened between the first payment to me by Ruef and the second. It may have been over payment-to-me-by-Ruef-and-the-second. one day. I think the two payments to me by Ruef were divided fairly equally, probably a larger sum in the first payment than the other. When I paid the \$750. in the gas matter over to the 15 supervisors, there may have been complaints to the effect that the amount was not large enough considering the importance of the municipal legislation, and the benefit accruing to the gas company. My best recollection is that some of the members spoke of the fact that it was a small amount, but just which ones I could not say, but my best recollection is that Hoxton, Wilson, Hurey and Coleman did so.

(Session of Wednesday July 22, 1908-----2 - 4)

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#### TELEPHONE.

About ten days or two weeks previous to the passing to print of the ordinance calling for bids for a telephone franchise, I had a conversation with Ruef on the subject and Ruef then said in substance that there would be \$3500 apiece for the members of the board in the home telephone matter, and he asked me to see the members and see if that would be satisfactory and I told him I would do so, and after that talk with Ruef I had talk with different members of the board on that subject.

(Session of Tuesday July 9, 1908-----3-5)

Q. With which members? A. I talked with Mr. Wilson, Hoxton, Coleman, Hurey, Harrigan, Nicholas, Kelly. I also spoke to some other members, whose names I cannot recall at this time.

(Session of Thursday July 9, 1908-----35)

That conversation with Hurey took place, according to my recollection previous to the passing to print of the ordinance, I should say not more than ten days or two weeks previous, but I could not fix it definitely, and what was said was that I said to him that there was \$3500. in the matter of the Home telephone







application. . . And what did he say? A. There was considerable conversation with the members about that matter, but just the exact words that were used I could not say. After the conversation with Furey, probably a few days later, I spoke to Furey about some reports that there had been money paid to members of the board by the Pacific States Co - pany, and I said to him that there had been such reports come to Ruef, and that I hoped he would let them throw down the administration, or break away from Ruef and the administration, and I think he said that he had received 3000 from the Pacific States, but that he would stay with the administration, with Ruef.

(Session of Thursday July 9, 1908-----38-8)

I had a talk with Ruef on the subject of the members getting money from the Pacific States. It was at that time the telephone matter was under consideration of the board, and he said that the Pacific States was using money to try to take the board away from him. My best recollection is that the members he mentioned had received money, when he heard had received money were Wilson, Newlock, Nicholas, and two or three other members of the board whom I cannot recollect. He also mentioned Horton. My recollection is that he said they received it from Kelley. And Ruef asked me to see the members and straighten them out and let them not to break away from the administration.

(Session of Thursday July 9, 1908-----39 & 40)

Not more than ten days or two weeks before the telephone ordinance was passed to print, I talked with Wilson and told him there would be 1500 paid in the Home telephone matter, and he said all right.

(Session of Thursday July 9, 1908-----41 & 1)

About two weeks before the passing to print of the telephone ordinance, I told Horton there would be 1500 in the Home matter, and he said that he would stand with the board in any matter that was agreed upon, but he was not as outspoken in the matter as others. My best recollection is that he spoke of Ruef, and said that he wanted to stand right with him. I think Horton said something in that talk, or in another talk, to the effect that he thought the Pacific States would pay more money.

(Session of Thursday July 9, 1908-----42 & 3)

My talks with Coleman and Harrigan and Nicholas and Kelly were all about two weeks before the passage of the ordinance to print, and I told each there would be 1500 in it and each said all right.

(Session of Friday July 9, 1908-----43-8)

After the conversation with Ruef in which he told me that the Pacific States had paid money to members, I had talk with some members about the matter; I think I talked with Wilson and Coleman about it, and I believe I talked with Furey. I don't recall any others. My talk with Wilson on this day was previous to the passage of the ordinance, and my talk with Coleman was after the passage of the ordinance. The talk with Coleman was when he asked me if there should not have been more dealing on the telephone matter, and I told him no, and he then said I think "I understood that the members who did not vote for the Home were not to get any money, and that I ought to get one." And I told him no. That conversation with Coleman was after the ordinance had been passed offering the franchise for sale, probably a month after.

(Session of Thursday July 9, 1908-----43-50)

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Letwiler called at my office and asked me to ring up Ruef. That was the latter part of December, 1906, or the first part of January, 1906, and I telephoned to Ruef, and Ruef came down and he and Letwiler stepped into one of the offices and talked. They seemed to be acquainted. I think Ruef had mentioned to me before that that Letwiler was one of the people interested in the Home. Shortly after that Ruef got Letwiler again at my office, and they talked to each other again. I think they met there together at one other occasion.

(Session of Friday July 10, 1908-----2-10)

On the evening of one of the boxing contests at Lockworth's Pavilion, I met Ruef at the lup, and I saw there Wilson, Loneragan, and I think Coffey or Nicholas. I went there to report to Ruef the result of my interviews with Wilson and the other members of the board that I saw there. Ruef had stated to me that say that the Pacific States had been paying money to the supervisors in the telephone matter, and he asked me to see as many of the board as I could and straighten them out and keep the two breaking away.

(Session of Friday July 10, 1908-----10-12)

About a month after the telephone ordinance calling for him for telephone franchise had been passed, Ruef told me he was going to turn over the money in the telephone matter, and he counted out a portion of the money and handed it to me. My best recollection is that it was about \$1,000 or \$2,000; I am not certain whether that payment was in two or three payments, I know it was in at least two, and it might have been three, on the telephone matter. The second or the other two payments in the telephone matter were made within a few days after the first payment in that matter. It was all in currency and at that time Ruef said that in view of the fact that a number of the members had not voted for the Home that he wanted that would otherwise have gone to them should be added to the portion that was given to those who had received no money from the Pacific States; he mentioned Kelly, Davis, Murray and Loneragan as the four who were to receive \$600, as the ones according to his statement who had not received any money from the Pacific States.

(Session of Friday, July 10, 1908-----13 & 14)

That money that Ruef gave me in the telephone matter I paid to the members as Ruef directed. To 2 of the members I gave \$2500 apiece. To 4 of the 1 gave \$600 apiece, Kelly, Harrigan, Davis and Duffy. There were five members to whom I gave nothing in the Home telephone matter, and they were Brater, McGashin, Rea, Sanderson and Walsh. Those five did not vote for the Home franchise. Ruef said to me that I was to keep \$10,000 for myself, which I did. That was said to me at the time when the first amount was received from him by me in the telephone matter, according to my recollection, though it may have been before that. I do not remember any conversation with Ruef concerning Rea particularly in connection with the telephone matter. I paid the telephone one over to the members immediately on receiving the full amount. That is as quickly as I could under the circumstances, as soon as I could find them, that is I saw all of them within two or three days.

(Session of Friday July 10, 1908-----13-19)

There were a number of members that I was informed had received money from the Pacific States telephone company prior to my offer on behalf of the Home. The names of those whom I had been informed and already tied up to the Pacific States were Wilson, Coleman, Loneragan, Nicholas, Marlock, Carey, Phillips,



THESE ARE THE ONLY TWO COPIES OF THE ORIGINALS OF THE  
PAPERS OF THE LATE MR. JAMES H. HARRIS, AND I AM  
SOLICITING THAT THEY BE KEPT IN THE MOST SECURE  
PLACE POSSIBLE, AND THAT THEY BE NOT LOST OR  
DAMAGED IN ANY MANNER. I AM ALSO REQUESTING  
THAT YOU BE KEPT ADVISED OF ANY DEVELOPMENTS  
IN THE MATTER OF THE PAPERS OF THE LATE MR.  
JAMES H. HARRIS, AND THAT YOU BE KEPT ADVISED  
OF ANY DEVELOPMENTS IN THE MATTER OF THE  
PAPERS OF THE LATE MR. JAMES H. HARRIS.







(Session of Wednesday July 22, 1908-----24-34)

I do not remember speaking directly to Sanderson about the telephone. After we understood what his attitude was, I do not remember a particular conversation. My best recollection is that the offers had been made before the vote in caucus. What I said to Bixton was that there would be \$3500 in the Home, and he said that he would see about it. The conversation was the same in all cases. My best recollection is that Wilson acquiesced. My recollection is that I told Coleman the same thing, and he said all right. According to my best recollection, I told Harrigan the same thing, and he acquiesced. My best recollection is that I spoke to Nicholas and said to him in substance that there would be \$3500 in the Home matter, and that he acquiesced. There was nothing said to Nicholas, according to my recollection, of his having received any money from the Pacific States, and my recollection is that at the time I spoke to him I was not informed on that proposition. I had the same talk with Kelly, and substantially the same with Phillips, Davis, Lomergan, Harrigan, Coffey and Duffy. I think when I spoke to Sanderson he was non-committal.

(Session of Wednesday July 23, 1908-----28-36)

My best recollection is that Coleman did state that he understood there ought to be more money coming in the telephone matter, because some of the members had not voted for the Home, and he had the view that that money ought to have gone to the others. I do not remember whether he stated at that time that he had received the 5000 from the Pacific States or not. There were other supervisors spoke of that matter about that time. My best recollection is that Kelly did. Am not positive about Lurey. I do not remember of Phillips, and am not positive about Davis, and do not remember of Lomergan. It was probably a period of 6 weeks or 8 weeks between the time I made the \$3500 proposition and the actual payment of the money. It is impossible for me to name any State supervisors who expressed their dissatisfaction during that period. Q. Did Nicholas want a little more? A. I do not remember of Nicholas saying he wanted more. It is my recollection that during those six weeks some of the members said substantially "Now, some of the boys are going to vote against the ordinance, and the money they are not going to get ought to be divided between those that are going to vote in favor of it." I think Kelly spoke of it first, and Coleman and Davis. I do not remember of Lurey, Nicholas did not. I do not remember of Phillips or Harrigan or Walsh or Coffey or Harlock or Sanderson or Duffy. I do not remember Nicholas speaking of that particular matter.

(Session of Wednesday July 22, 1908-----37-42)

My recollection is that so early mentioned that the Pacific States having offered \$2000 the Home ought to pay at least a like amount, but just who it was I could not say.

(Session Wednesday July 23, 1908-----42)

My best recollection is that I made the payments in the telephone matter either the first part of April or the latter part of March, and a few days after I received it, as soon as I conveniently could, it would be inside of a week. I had received the telephone money about the end of March, or the first of April. My recollection is that two members who had voted for the Home and had not received any money from the Pacific States, received \$5000, and those who voted for the franchise and had received money from the Pacific States were





given the amount they had been promised, that is, \$3000, and those who had not voted for the sale of the franchise received nothing from us. My best recollection is that at the time I made the payments most of the leaders were told that others were getting \$3000, and that a number of the men who had not voted for the sale. I do not remember specifically whether they were getting the Pacific States deal, and what I may have.

(Recall of testimony July 22, 1938-----45-31)

I was and believe I probably still maintain in connection with the telephone company, remembering at a time while I was in the store in 1938, and we had dealings with that company.

(Recall of testimony July 22, 1938-----31 etc)



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I. THE SECOND RICE TRIAL (No. 1437)





For complete testimony of Gallagher in the  
Ruef Trial (No. 1437) as to Parade, Trial Fight, Ray  
and Telephone, - see independent volume entitled "Testi-  
mony of Sergeant Gallagher in the Ruef Trial  
(No. 1437) As to All Matters Not on Trolley."



TABLE 1 (continued) RELEASED  
IN 1964 (1/60).





for testimony of all, for 1 Coffey trial  
(No. 1000), see p. 61 of volume entitled "Procedures and Payments."













Gallagher's testimony shows that money proposition in Trolley matter originated with Supervisors, and not with Ruef. They insisted it should be put on a money basis, and Gallagher held up Ruef at their instance.









GALLAGHER'S TESTIMONY SHOWS THAT MONEY PROPOSITION IN TROLLEY MATTER ORIGINATED WITH THE ADVISORS, AND NOT WITH RUEF. THEY INSISTED IT SHOULD BE PUT ON A SOUND BASIS, AND GALLAGHER WENT UP RUEF AT THEIR INSTANCE.

## I N D E X .

### 1. Trolley.

1. Possibly money talk on trolley between G. and board before Ruef mentioned trolley matter at all, - - - - - Page 2, No.1.
2. Before G. mentions money in trolley matter to board, they discuss trolley trouble, - - - - Page 2, No.2.
3. Board demands that there shall be money in trolley and G. so notifies Ruef, - - - - Page 2, No.3.
4. Gallagher prepares Ruef for hold-up, - - - - Page 2, No.4.
5. Gallagher squeezes Ruef, - - - - Page 2, No.5.
6. Gallagher notifies Ruef that the board wants money and wants it big, - - - Page 3, No.6.
7. Gallagher tells Ruef it ought to be big money, - - - - Page 3, No.7.
8. Gallagher names their price and Ruef turns it down, - - - - Page 3, No.8.
9. Gallagher went deny absolute hold-up of Ruef by supervisors, - - - - Page 3, No.9.
10. G. exaggerates difficulties to Ruef and tries to sandbag him for big sum. Ruef beats them back and they finally fix 14000. Ruef, not Ruef, original 14000 figure, - - - Page 4, No.10.
11. G. favored trolley and found no opposition in the board. Still he held it up with reports of great obstacles, - - - - Page 4, No.11.
12. G. stands for his Gladstone version, - - - Page 4, No.12.

As per record book from the University of California  
 the first publication of the University of California  
 Press was in 1891 when it published the first  
 volume of the *University of California Publications*.

## APPENDIX

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- [illegible]



[illegible]









### III. Gas.

77. Bready in Gas Matter, - - - - - Page 16, No. 77.

### IV. Telephone.

78. Boxton said Pacific States would pay more, Page 16, No. 78.
79. Dissatisfaction over division of telephone money, - - - - - Page 16, No. 79.
80. Board boodle on their own account in telephone matter, - - - - - Page 16, No. 80.
81. Board boodle on their own account in telephone matter after Callagher made them proposition on behalf of Phone Company, Page 16, No. 81.
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91. " " " " " " " " Page 18, No. 91.
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### VI. Independent Gravelling.

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| Chapter LXXXXXXXVII  | 6015 |
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make it, or would make it and was not the limit put at

-2-

CALLAGHAN'S TESTIMONY WOULD BE A VERY IMPORTANT ONE  
THAT HE HAD BEEN CALLED BY THE GOVERNMENT, AND HE  
WAS NOT: THAT LIMITS IT TO A VERY SMALL PART OF A VERY  
LARGE ONE CALLAGHAN'S OWN AS WELL AS THE OTHERS.

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GALLAGHER'S TESTIMONY SHOWS THAT SOME PROPOSITION TO RAISE  
RAILROAD CAPITAL WITH AN INTEREST OF 10 PER CENT; THEY  
INSISTED IT SHOULD BE PUT ON A VOTING BASIS AND GALLAGHER  
HELPED TO HOLD AT THAT TIME.

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EXHIBIT.

(1).

There had not as I remember been any conversation  
between me and any of the supervisors before that talk which  
I had with Ruef about the trolley matter before the time,  
about that they would charge to put it through or anything  
of that kind. To the question is it possible that the con-  
versation may have occurred and I have forgotten it, I say  
I do not think there could have been any such conversation.  
To the same question repeated, I answer that it is barely  
possible that some mention may have been made by somebody,  
but if so I have forgotten it.

(Testimony of Gallagher, 2d Ruef trial, 13741k)

(2)

Q. I regard it as important for me to know whether  
there was any money mentioned by any of those supervisors  
at the time when you approached them and asked them how they  
stood upon the trolley or whether they would be favorable  
to it. You say you did not know. Can you state that  
there was any? A. I cannot state that there was any.

Q. Can you and will you state that Andrew J. Wilson, Mr. Fox-  
ton, Phillips, Harrison, Carey or Coleman generally, or  
either one of them, did not state to you that it would de-  
pend on how much money there was in it, or that they would  
require a certain sum of money in order to vote for it? A. My  
best recollection is that some of them said in general terms  
that it was an important proposition and that there ought  
to be a large amount of money paid on it, or something to  
that effect, but just what they said I don't remember.....  
Carey may have been one who said that, and I cannot say  
definitely whether Wilson was or not. There were several  
members had spoken that way. I don't recall especially as  
to Boston.

(Testimony of Gallagher, 2d Ruef trial, 1400 a-

a 1.

(3)

Q. Is it not true Mr. Gallagher, that you did go  
out and speak to some of the members of the Board about  
Ruef, and that the members of the Board said that it was  
a big thing and there ought to be a lot of money in it, and  
that some of them said they wanted five or ten, or were  
thousand dollars in it before they would vote to pass it--  
is that true? A. As to the amount of money I cannot testi-  
fy at this time, Mr. Ruef, although it might have been men-  
tioned and probably said I do remember though, as I told  
you a while ago, that there was some talk on the part of  
some of the members, but just which ones I cannot tell you.

Q. And did you not then go back to Mr. Ruef and tell Mr.  
Ruef that they wanted money and a large sum of money to  
put it through, and wanted \$5,000, or \$8,000 or \$10,000 a-  
piece, and Ruef said no, he couldn't stand for anything  
like that, and didn't you then say to him when he said  
make it, or would he do it and was not the first to do it

1000 1000 1000 1000 1000 1000



four-- is not that true? A. I don't remember the details of the conversation but I was engaged in the fact I could not remember the details of the conversation although enough to say whether there was a conversation at that apt. Immediately in talking with you, Mr. and Mrs. and report,-- the statement that was made to me by the witness, I would report to him the exact condition of affairs on 4 June 44, but I cannot remember the exact words that I used to him..... (Question of Callahan and Cross) 34-387

12

[illegible]

1

[illegible]

(6)

[illegible]

(U.S. Attorney at Large, 1991, p. 101)

10

4. 10% members of this group are in New York State prison as well as being sentenced to life, but all are probably going to be there so.

• •

[illegible]









(13)

When I told the members that there would be \$4,000 each in the trolley my best recollection is that there were several of them that expressed the belief that they ought to get more money, but I do not know if Dexter was one and I do not recollect any particular member, but there were a few. I think Dexter was one.

(Testimony of Gallagher, Chief Preliminary Ex.,  
session of Thursday, July 23, 1908, ES-6)

(14)

It is possible that Wilcox may have said to me that there was some grumbling by some of the supervisors that there was not more money in it, but I do not recall it at this time.

(Testimony of Gallagher, Preliminary Ex. of Chief,  
session of Thursday, July 23, 1908-41 & 2)

(15)

When Chief said that he thought he should not allow to secure enough money from them to allow each member \$4,000, I enquired from some of the members as to whether that would be satisfactory and there was a good deal of grumbling there, I understand. Different men told me that there was some dissatisfaction over the amounts that they would receive on it. They thought they ought to receive more and they did not fix any price, but Chief stated that would be all they could receive. I told Chief that there was dissatisfaction with the price after the first talk and he said that it would be all that they could receive for it. I said to one or two of the members of the board, and I think Wilcox was one of them, that that was all that would be paid, and then he or whatever member it was that I spoke to sent word to the other members of the board.

(Testimony of Gallagher before Grand Jury,  
July 27, 1908)

(16)

When Chief said he would allow each member \$4,000 my recollection is that I said I would see the company and see if that would be satisfactory. Now, I don't say now at that time that you then fit the amount rather well for the importance of the ordinance to the United Railroads. I do not remember as to that. It is possible I may have made some remark to that effect, but I do not remember it. My recollection is that someone was said to the effect that the amount that I would receive would be fixed later.

(Testimony of Gallagher, Chief Preliminary Ex.,  
session of Thursday, July 23, 1908-41 & 2)

(17)

As to my testimony which you have just read me, before the trial began on the trolley matter, I am I don't recall all of those instances at this time, but they were likely happened. I remember that the members were dissatisfied with the amount.

(Testimony of Gallagher, second Chief trial-17 25)



(18)

There was some objection made by some of the members as to the amount of \$4,000 and I don't remember whether Gallagher was one of them or not.

(Testimony of Gallagher, 2d brief trial, 343-140849)

(19)

In my first talk with Guef on the trolley he told me to find out what what amount of money they would "desire or insist upon" in order to pass it.

(Testimony of Gallagher, first brief trial, 341)

(20)

I did testify in the first brief case at page 341 that Guef told me in that first conversation to find out what what amount of money they would "desire or insist upon" to pass it.

(Testimony of Gallagher, 2d brief trial, ----- 1404)

(21)

In the conversation with Guef about trolley before the fire he asked me to see the members "to ascertain how much money it would take to secure that permit, to have the permit passed by the board." (Testimony of Gallagher, 2d brief trial, 149)

(22)

Guef requested me to interview the members to ascertain what amount of money would be required to have the trolley permit granted..... he asked me to interview the members and let him know what amount of money it would take to have it passed.

(Testimony of Gallagher, 2d brief trial, 149-91)

(23)

Guef said that he would like me to ascertain what what amount of money would have to be paid in order to get the permit for the United Railways.

(Testimony of Gallagher, 2d brief trial, 149-91)

100 of below, 341-140849, 149-91

( " " " " There, 341-140849, 149-91)

(24)

Guef wanted me to get a general idea on the subject of what it would cost to put it through the board in the various amounts to members for their respective votes.

(Testimony of Gallagher, 2d brief trial, 149-91)

Jul. 13, 1933, 341-140849

(25)

In the talk with me about trolley before the fire Guef asked me "to ascertain what what amount of money is really require to have the matter passed by the board; he asked me to interview the members of the board and to let him know what amount would have to be given to the members of the board in order to pass it." (Testimony of Gallagher, 2d brief trial, 149-91)

(26)

Witness while foregoing testimony.

(Testimony of Gallagher, 2d brief trial, 149-91)

(27)

After I spoke to the associates at Guef's request after the fire I subsequently saw Guef and told him that I was satisfied that it would be passed "and I asked him the amount of money that he could allow the board if they passed it, and how low; he told me then that he could allow \$4,000 for each of the members outside of myself."

(Testimony of Gallagher, 1st brief trial 241-3)

( " " " " 2d brief trial 149)





(32)

Witness admits last foregoing testimony.

(Testimony of Gallagher, 3d Reef trial, 1464)

(33)

Q. Is it true that you told Reef that in talking with the boys about it you got the idea that the boys would not care to put that trolley matter through for less than five to ten thousand dollars and that they thought they ought to get that much money for it, did you? A. I don't remember at this time mentioning the amounts to Mr. Reef that approximated there; I may have done so. Q. I am asking you whether that is true, sir? A. I don't remember at this time of that fact taking place, but it may have taken place.

(Testimony of Gallagher, 3d Reef trial, ----1437)

(34)

After the first talk with Reef after the fire I went to several of the members about it and I think I was around there; my best recollection is that I did not talk with anyone about the financial end of it in so far as telling him definitely what he wanted, but I talked generally about the proposition as to whether it could be put through, that is if a sufficient amount of money were paid, and gave him to understand that it was to be put and my best recollection is that I told him that he believed the matter could be passed by the board. As to your question whether he mentioned the question of money, there was something said but just what I do not remember, that would indicate the money would be paid in the matter and my recollection is that I made that statement. I don't think I told William or Fred out fire. The other members how much they would think they ought to get but the suggestion was made that it could be done and that if the proposition was made and was a reasonable one he thought the members would accept it.

(Testimony of Gallagher, Reef Prelim. Ex. testimony at Thursday, July 23, 1933, ----1419)

(35)

I am still uncertain whether it was the first conversation after the fire that told me that he could allow about \$4,000 or whether in that conversation he said anything about \$750, and that subsequently in another conversation I asked him what he could allow and he said about \$4,000.

(Testimony of Gallagher, 3d Ford trial, ----213-15)

(36)

Witness admits giving last foregoing testimony.

(Testimony of Gallagher, 3d Reef trial, ----1458)

(37)

It is not exactly so that I could have voted any way Reef would without the payment of a single dollar to me. I would vote for any matter within reason that would result in for a cash sum; and the price \$100, \$200, \$500, \$1,000 and trolley matters were all within reason.

(Testimony of Gallagher, 3d Reef trial, 1474 & 5)

(38)

Q. Mr. Gallagher, when you went into office you were ready to do Reef's request on any matter, were you not? A. I would not say on any matter.....but on any matter within reason. Q. For instance, if Mr. A. asked you, as a matter of policy, or technique, or law, or procedure a large attorney's fee, or was promised one, to vote for it and to what you could be sure the gas rates at a certain date, and to vote for an opposition telephone here in the city or a reward for



a prize fight, or a deposit on street railroad extension branch road--you would have voted for it, wouldn't you? A. I think I would.

(Testimony of Callaghan, 1st Post Trial, vern. rec. vol. 10, 1908, 18)  
(38)

I remember talking with Wilson one evening after his election but whether it was before he was sworn in or afterwards, I don't know but I think it was afterwards, and to the best of my recollection, it was about the middle of January, and the substance of it was that he said he understood I would represent him on the board, and I told him that that was correct and he said "Well, whatever is going on the board I will certainly tell you about it" or words to that effect.

(Testimony of Callaghan, 1st Post Trial, vern. rec. vol. 10, 1908, 21)  
(39)

I am satisfied that that could have got a majority to vote for the Bradley machine without my help.

(Testimony of Callaghan, 1st Post Trial, -----) (40)  
(41)

I think the Bradley machine would have been passed without a ballot from myself.

(Testimony of Callaghan, 1st Post Trial, -----) (42)  
(43)

Now I told Wilson there would be no deal in the Bradley he said that he thought so as to the receive vote and I said all I would ask was about the matter and see if he would not agree to give vote and see I was satisfied that he would.

(Testimony of Callaghan, 1st Post Trial, -----) (44)  
(45)

I told him that Wilson would be receive vote with the other members of the board and that considerable influence with the members and was the representative of a sort of little coalition on the board and I said that if Wilson was appointed to the board in the board he would be in a position to influence some of the members.

(Testimony of Callaghan, 1st Post Trial, -----) (46)  
(47)

I am the first one to talk about Wilson getting vote, my recollection is that Wilson spoke to me on that subject, after he had said I think Wilson spoke to me about it.

(Testimony of Callaghan, 1st Post Trial, -----) (48)  
(49)

I had a talk with Wilson about his own compensation in the Bradley matter and he said that he thought he ought to receive some compensation that was given to the other and I told him I thought so, too, and that I would be willing to receive for him to receive it, too. I repeated the same to him from that time and that Wilson would receive for himself and the other of the members in the matter of arranging with the members, his influence in the board.

(Testimony of Callaghan, 1st Post Trial, -----) (50)  
(51)

(52) I am not sure about the 1st Post Trial testimony.

(Testimony of Callaghan, 1st Post Trial, -----) (53)  
(54)

I am not sure about the 1st Post Trial testimony.









think I looked pretty big for some business reason, and he made an urgent requisition for it. My best recollection is that Nicholas complained then but I don't remember what happened or July. Coleman complained and it is possible that he wanted some understanding as to the sale and it could be paid. The majority expressed their dissatisfaction at the delay. And didn't they all in substance say "I want my money" or "I want my money that is coming to me," or words to that effect. ....? A. Yes, that complaint to me undoubtedly meant to convey the idea that they wanted to get the money, and I distinguished from their complaints as to what the time they complained about the delay that they wanted the whole amount at once, when they were paid. The complaints of course were not at the request of one half but at the payment of the whole amount.....and by reason of some dissidence as to the delay as the receipt of the \$25,000 it was decided to pay the installment of the half. When I say there was difficulty in obtaining currency and that I stated that as an excuse I mean that that was the reason given to me by most when I asked them for it. ....I say to that a short time after the first payment, or at the time of the first payment, some of the members complained at not getting the whole \$25,000 but I have no recollection of it. As to your question whether there were any complaints of dissatisfaction after I made the first payment and before the second I say I do not recall any details complaint but my impression is that the members were not entirely satisfied with the receipt of half the money but that some were patient of it, and it is probable that during that time some of the members requested the payment of the remainder of the money promised. I think they did, as I remember the saying a place as business. I do not recollect as to the members who made the complaints towards the two payments. I do not want about Walsh, Kelley or Horton.

(Testimony of William H. Root, Jr., Dec. 1st, 1911, Vol. 12-33)

(11)

Subsequent to the passing of the troley permit the proceeds to the receipt of the money I had several calls and that, one of which occurred at his office on Pine Street, and I then stated to them that the money was being placed under the order in payment of the debt to the troley nation and he said it was covered by the insurance company currency. (Testimony of William H. Root, Jr., Dec. 1st, 1911, Vol. 12-33)

(12)

I had a call from them at the troley building, and the latter part of July and he said over to me about \$25,000 or The troley matter and said that it would be a good idea to pay half of the money to the members in order to keep them from getting into the same trouble about the fact as their own money received the money order, and I said the fact I could see and had seen if that was all paid and gave the half payment in July which is covered in testimony.

(Testimony of William H. Root, Jr., Dec. 1st, 1911, Vol. 12-33)

(13)

After the passing of the troley matter and before the payment, Walsh, Coleman, Kelley, and others, I thought and others that he was not satisfied with the fact of the payment





of the money and my response to them in some cases was that I would see about it and in other cases that the reason I did to be was that there was difficulty in securing the currency and that the money would be paid as soon as it could be had. .... R. Wilson told me that some of the supervisors were complaining very bitterly about the money not coming through and I think he mentioned that to a lot of them.

From the time of the final renunciation of the ordinance and up to the first payment from me, I had no conversation with him about it daily and these matters would come up for discussion but there was no conversation about it in substance particularly. I went to him about the delay in the matter of the payment of the money to the members of the church prior to that time. I told him there was considerable complaint on the part of the members concerning the delay and he told me as a reason for it the difficulty of getting currency at that time.

After the last payment to me in full of the first installment, at the time when I had enough money to pay half of the second, I did not wish to give it to the lawyers, I said in substance to him that the lawyers were complaining about the delay in the matter of the payments to the United Nations, and that he had to talk about it too. Finally, I had said to him in substance "The second half of the money," and I said I would be there, and I paid it over to him almost within a couple of days.

A speaker having assumed the role of host, asked for  
petty grafting of the members and the danger therefore, and we  
were asked to also abstain from grafting.

I made the last request of brief for the Paradise Hotel with a final page of details. The work had a week to finish and I knew that this last since the previous December and would still take months. The time to every one or two to be seen brief for the Paradise Hotel, that the work finished, see 10 to 15 days.

I am satisfied that as far as this Roy Miller case pertained was concerned, in the sense it went it was it could not be proved feasible for better or for toward were something would be. It said at that time was not Michael without an affidavit approved because the agent felt they the time would not be needed by him and in fact was an opportunity to collect it was of some benefit to himself, but they did not want as he seemed in control and control of that were considering about a matter of the children and toward in which they felt that that the behavior was, and the fact said speaking to the boys in jail. Now the boys' opinions about the agent there better and changed the view of the time that they had not been treated fairly at that time.



(27)

I remember that there was some scrambling about Costa. There and I may have told Cost about it possibly - was seeing him with along.

(Verdugo at California, 1st Div. 1914, 17th. See Nov. 11, '08, 40-50)

(28)

Costa was perhaps surprised about it also. I was sent to Costa in the fall of 1914 when I was "all right", we will think so later, you fellows will not be so well off, but it will be so." (Verdugo at California, 1st Div. 1914, 17th. See Nov. 11, '08, 40-50)

(29)

Costa was perhaps surprised about it also. I was sent to Costa in the fall of 1914 when I was "all right", we will think so later, you fellows will not be so well off, but it will be so." (Verdugo at California, 1st Div. 1914, 17th. See Nov. 11, '08, 40-50)

(30)

Costa was perhaps surprised about it also. I was sent to Costa in the fall of 1914 when I was "all right", we will think so later, you fellows will not be so well off, but it will be so." (Verdugo at California, 1st Div. 1914, 17th. See Nov. 11, '08, 40-50)

(Verdugo at California, 1st Div. 1914, 17th. See Nov. 11, '08, 40-50)

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There was a fire - after the Paradise passed its point across the meadow and the 1780. had not come through and it was by the meadow generally. I believe time or air contributed to the doubt of and they told me that the others were complaining about it. The meadows that spoke to be small it were Hanson, Wilson, Phillips, Coleman and probably some of the others. Between the time I told them there was a fire. It is not the time the rumor was changed there was inquiry made of me about the 1780, and I told them what they had said concerning the 1780. That was before the fire at 11,000 and was at different intervals between the fire and the change of rumor, different time would speak to me about it.

(Testimony of Callender, 1st Trial, Conn. Sec. 13, 14, '03. 13-14)

I want to read about the Paradise matter as to their considering the proposition, some of the meadows and meadows as to about it and I want to read the fact was before the trial with most about the 1780. They came in and were seated in time and the Paradise matter was not closed up and the story remained, and that was before the application for the 1780. They spoke of the 1780; they spoke of the 1780 at different times and during a period of time a couple of months until up to the time that this trial proposition came across. It was sufficiently long after the fire to make the meadows feel that they wanted the thing settled up. I should say it was a month or a half or something like that after the fire. It would not be possible for me to tell you what was said about the 1780 and to me and others about the 1780 after the fire. The proposition is that it was some of those who were not active in the 1780; probably Wilson and Hanson and some of the others, and I am not sure of it.

(Testimony of Callender, 1st Trial, Conn. Sec. 13, 14, '03. 13-14)

11-4

There was general dissatisfaction among the meadows after the fire concerning the situation of the Paradise, and they provided of dissatisfaction continued for a long time, from that time a number of conversations, and a conversation was they wanted to know how much was the 1780. It was not the 1780, but what they could get about it. The meadows were expressed their dissatisfaction with Hanson, Wilson, Phillips, Hanson, Coleman, Hanson. There were others who I should say, but I don't remember just what was said at the general time.

(Testimony of Callender, 1st Trial, Conn. Sec. 13, 14, '03. 13-14)

In my recollection as to the Paradise and the 1780 and removed some time in the month of December and I think that I have spoken to them about it as the meadows before of course after that, and I don't remember that the meadows were the 1780, and that was the meadows as to about it: the meadows who asked me for the 1780 at that time. Callender was the head of the meadows Wilson, Hanson, Phillips, Hanson, Coleman, Hanson and I think Hanson and I think others. They asked me for the





Policy was not coming through. None of them spoke to me a number of times. The recollection is that in the last two, Larry had with me on the equipment he said that there was the such & say about it, or that he thought the money had been paid by the company and either said he'd speak to Jack or I talk him I would. There is something of the part of the members extended over a period of two or three months after the first of the year. I do not remember Buffy nor Tom nor Gordon is I remember, never David or Jeff. I am not sure of this, I think I am sure and I think did, and I think I am also made a complaint. I don't remember or Gordon very often.

154

1950年12月17日，第17次，---8

1. The 1944-1945 season was a record for the State of New York. The 1944-1945 season was a record for the State of New York. The 1944-1945 season was a record for the State of New York.

1940

17-00000-17

[illegible]

At this time, I told him that we were also going to have a meeting with the Board of Directors and that I would be representing the Board. He said that he would be glad to have me and that he would be glad to have me represent the Board.

1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 26









I cannot say with any certainty. I remember that Langdon complained at the time of the telephone office and he was quite positive in his statement that he thought he would be out soon. As to most other matters he complained of dissatisfaction in the office.

(Testimony of Hollander, New York, N.Y., Dec. 10, 1941, 18-19)

The fact of the situation is that the work was not as it was back when after the investigation was made. As to the fact that Langdon was not satisfied in the office, I believe he was not satisfied with the work. As to the fact that he was not satisfied by the officers, as it always has been said by him, that some of them were not very good. The Pacific States seemed to give him a lot of trouble and they at that time were a great deal worse than they were at the time of the investigation.

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(Testimony of Hollander, New York, N.Y., Dec. 10, 1941, 40)

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(Testimony of Hollander, New York, N.Y., Dec. 10, 1941, 42)

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When I was in the office, I remember that Langdon complained at the time of the telephone office and he was quite positive in his statement that he thought he would be out soon. As to most other matters he complained of dissatisfaction in the office.



When the members complained about my five per cent I told them that the proposition would be abandoned and that then I would feel that I was acting solely for Mr. Ruef in the matter of distributing whatever amounts might be agreed upon, and not jointly as representing both.

(Testimony of Gallagher, 1st Ruef trial, 1738 & 6)

(90)

OCEAN SHORE.

Many of the supervisors were complaining about a number of propositions put through in which they felt that Ruef had received money and had not paid anything to the boys at all. Some few were suspicious about the Ocean Shore matter and expressed the view a few times that they had not been treated fairly on that thing. (Testimony of Gallagher at Gladstone, 24-8)

(91)

I remember that there was some grumbling about Ocean Shore and I may have told Ruef about it because I was seeing him right along.

(Testimony of Gallagher, 1st Ruef trial, aft. Ses. Mon. May 11, '08, 48-50)

RAY CITY WATER CO.

(92)

I am satisfied that as far as this Ray Cities Water proposition was concerned in the shape in which it was it could not go through because the members of the board were inquiring about it; it would not have been put through without some definite agreement because the board felt that the thing would not be handled by Ruef and he would not be advocating it unless it was of some benefit to himself and they did not want to be treated in that way any more--many of them were complaining about a number of propositions put through in which they felt that Ruef had received money and had not paid anything to the boys at all. Some few were suspicious about the Ocean Shore matter and expressed the view a few times that they had not been treated fairly on that thing.

(Testimony of Gallagher at Gladstone, 24-8)

11th DISTRICT GRAPING.

(93)

I remember having numerous talks with Ruef about the petty grafting of the members and the danger therefrom and we both agreed to stop that petty graft.

(Testimony of Gallagher, Ruef Prelim. Ex., ses. Tues. Jul. 23, '08, 10-13)

There are various suggestions that in 1911 and 1912 I left home for the purpose of going to America and that I wrote to my mother in 1911 and 1912 that I was coming to America. I have no recollection of writing to my mother in 1911 and 1912 that I was coming to America. I have no recollection of writing to my mother in 1911 and 1912 that I was coming to America.

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Testimony of Supervisor Gallagher  
In the last RUEF TRIAL (No. 1437 )  
As to all matters but the Trolley.









TESTIMONY OF SUPERVISOR GALLAGHER IN THE LAST RUEF TRIAL (No.1437)

AS TO ALL MATTERS BUT THE TROLLEY.

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THE LATEST LITERATURE CONCERNING THE HISTORY OF THE UNITED STATES  
AND THE HISTORY OF THE UNITED STATES

I N D E X .

|      |   |     |
|------|---|-----|
| I.   | Prize light,- - - - -   | 1.  |
| II.  | Parkside,- - - - -  | 10. |
| III. | Gas,- - - - -   | 14. |
| IV.  | Telephone.- - - - -   | 18. |
| V.   | Trolley,--See Volume entitled:"Testimony of<br>James L.Gallagher on the Trolley Franchise." |     |





TESTIMONY OF SUPERVISOR GALLAGHER IN THE LAST RUEF TRIAL(No.1437)

AS TO ALL MATTERS BUT THE TROLLEY.

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THESE THINGS ARE NOT TO BE TAKEN AS A GUIDE TO  
THEIR OWNERSHIP AND CONTROL

THESE THINGS ARE NOT TO BE TAKEN AS A GUIDE TO  
THEIR OWNERSHIP AND CONTROL

I.

PRIZE FIGHT.

2

THE END



PRIZE FIGHT.

Before the Prize Fight franchise came before the Board in Jan., 1906, I had a talk with Ruef about it; I cannot state the date exactly but I think it was some time in January or perhaps the first part of February; and in that conversation Ruef stated there would be \$500 for each member and asked me to see if that would be all right and I told him I would do so. (452 & 3; 536; 1079-81.)

My best recollection is that in that initial conversation Ruef suggested that I would be paid more than the other members; I know it was mentioned afterwards. - - - - - (1356)

I did not talk with any member about the prize fight matter before that talk with Ruef and I do not remember whether Ruef and I had talked about the prize fight matter previously. As to your question whether I had told Ruef or Ruef had told me prior to that conversation that it was necessary to give any of the members of the board money in order to put through that prize fight matter, I say I do not remember definitely any conversation; but as to the fact itself, I do not think it was absolutely necessary for Ruef to do that in order to have the permits go through. There was no conversation in which I told Ruef that it was necessary for him to pay the members in order to put that prize fight matter through. I have a remembrance that Ruef spoke to me of the prize fight matter and said that he intended to have something come through in that matter, one object being to get in touch with the board in the matter and he also stated that he wanted me to talk with all of them. I asked him if he thought there were any that would be unusually risky to talk to and he said no; that was the substance of the conversation that time with Ruef previous to the one in which he told me to make the offer to the board in the prize fight matter. --- (1081 - 84; 1195)

I do not remember Ruef requesting me to interview the members and ascertain whether a sufficient number would vote in favor of the prize fight permit before he mentioned money to me, and I do not remember Ruef telling me or me telling Ruef at any time previous to the first conversation between us on prize fights that it would be necessary to give these supervisors money in order to get their votes. - - - - - (1185)

Before the talk with Ruef in which he told me there would be \$500 in it for the boys on prize fight, the matter of the granting or not granting of the permit to the Fight Trust came up a number of times between me and Ruef and the substance of those prior talks was that Ruef said he had under consideration the prize fight matter and he asked me what I thought about different phases of it. Graney, Coffroth, Levy and Britt were members of the Fight Trust and had all been friends of the administration and helped in the election. - - - - - (1190-92)

I am quite sure Ruef told me in that conversation about the prize fight trust to get all the members. - - - - - (1199 & 537)

I remember stating that it might possibly have been as late as the end of February before Ruef spoke to me about money in the prize fight matter. - - - - - (1227)

Ruef did not tell me where he was getting the prize fight money from. - - - - - (1237)



After Ruef told me there would be \$500 in the prize fight matter and to see if that would be all right I spoke to supervisors about it, I talked with Wilson, Sanderson, Harrigan, Boxton, Coleman and others whom I cannot recall. - - - - - (538)

What I said to Wilson, Sanderson, Harrigan, Boxton and Coleman was there there would be \$500 in the prize fight matter, and each of them said all right. - - - - - (538-548)

I am not positive that I spoke to every one of the members of the board in advance upon the prize fight matter; I talked with most of them and the offer I should judge was made to a majority of them. I have no recollection that I made the offer in advance to Davis and I do not remember talking in advance to Walsh, though I may have; I cannot say that I remember having made the offer to all of them except Davis and Walsh, I have a positive recollection that I made the offer to Wilson, Boxton, Coleman, Harrigan, Sanderson, Nicholas, Furey, Mamlock and Walsh; I am not absolutely positive to such an extent as to say I could not be mistaken as to any one of them, but that is my best recollection. - - - - - (809-811)

I am not absolutely positive that I spoke to Wilson about the prize fight matter in advance of its passage to print; I would not say that I may not be mistaken on that proposition; I say that I remember it, there is a possibility that I might be wrong in my remembrance of it. - - - - - (811-815)

I remember positively of talking to Boxton about the prize fight matter in advance of its passage to print and with Coleman, Lonergan and Sanderson, on the subject of money. - - - (820 & 21)

I spoke to Nicholas about the prize fight matter in advance but I am not so positive as to say that I may not be mistaken about it; there is a possibility that I might be mistaken about the subject of having talked to Nicholas about it. (822)

I would not be absolutely certain about speaking to Nicholas on the prize fight matter in advance. Q. Well, why did you tell me then in giving me the list of names, that you had a positive recollection that Nicholas was one of them? A. Did I tell you that? Q. You did; you gave me those nine names. A. I don't remember having used the expression that I had a positive recollection as to Nicholas. - - - - - (823)

I have a positive recollection that I spoke to Furey and Mamlock about Parkside in advance of the passage to print; I have a remembrance of speaking to Phillips about it in advance but I will not characterize the remembrance as a positive recollection of these matters. - - - - - (824)

What I mean when I say I have a remembrance as contradistinguished from a best recollection, is that where I say I remember a thing, my remembrance of it is stronger than when I say according to my best recollection. When I say according to my best recollection, I intend to say that there is some small doubt in my mind as to the correctness of my remembrance. (827)

Where I have said as to any of the supervisors that it was simply to the best of my recollection, that meant that was as clear as remembrance of the matter as to them, and wherever I have said that I remembered speaking to them I meant exactly that (828)

I have no positive remembrance of talking with Kelly in advance of the passage to print, but I would not say that I did not. - - - - - (829)

My best recollection is that I spoke to Lonergan; I did not speak to McGashin, and I do not remember speaking to Rea or Davis; my best recollection is that I spoke to Coffey but I am not positive. - - - - - (830 & 31)







Q. Will you please tell me, Mr. Gallagher, the names of the individuals to whom you did speak and told them that they would get \$500 for their vote if they voted for the prize fight permit? A. My best recollection is that I spoke to Mr. Wilson about it, Mr. Boston, Mr. Sanderson, Mr. Harrigan, Mr. Coleman, and to some of the other members; I cannot say positively which. Q. You have named five supervisors out of seventeen, besides yourself? A. Yes, sir. Q. Can you tell me which of those supervisors you "didn't" speak to before and tell them there would be \$500 in it for their vote? When I say "didn't" I mean did not, of course? A. I do not remember speaking to McGushin in advance, I am quite satisfied that I did not, that is I am quite certain that I did not. Mr. Duffy. Q. Are you through, Mr. Gallagher? A. I do not recall any others at this time that I would say for certain I did not speak to in advance of it. (1176 & 7)

I am quite sure Ruef told me in that conversation about the prize fight trust to get all of the members. I do not know why I did not go to McGushin or Duffy. I did go to Wilson, though, and had a talk with him. I will not say that I positively remember having spoken to Wilson, but I will say that I remember speaking to him and telling him there would be \$500 in it and he said all right. (1199-1202)

It is my best recollection but I would not say positively, that I spoke to Furey about giving him \$500 for his vote in the prize fight matter before it passed to print. I am more positive of speaking to Sanderson than to Furey. As to Wilson and Furey my recollection is about equal, but I am not positive as to either. (1206)

I admit that I testified that I had talked with Wilson, Sanderson, Harrigan, Boston and Coleman about this Fight Trust before my second conversation with Ruef. (1214)

I do not dispute the correctness of the record which you show me of my statements at the Gladstone apartment as follows: "Q. Now, when you made the arrangement with the different members of the board did you speak to each one about it before they voted for it (referring to the prize fight)? A. There was very little said as a rule. MR. HENRY: Q. What was your plan in that. A. The plan simply was to speak to some member of the board and to tell him to send the rumor among the boys, there was likely to be a certain amount in this thing, and then when the matter would come up, it would be passed and if anyone asked any questions about it I would simply say it is all right. Q. Whom did you send the rumor out by in regard to the prize fight? A. I cannot remember about it. There were so many things that it is hard to remember that. Q. Now then, was there some particular member of the board you had--there was undoubtedly some one particular member of the board in whom you had more confidence than some of the others? A. Oh, yes, Wilson was the one I had confidence in, whose judgment I had more confidence in x x x x I thought he would have more influence with the boys and would be able to satisfy them more than anyone else if he was satisfied with the proposition." We were making a hurried statement of all these transactions at the Gladstone. The statements you have there would be substantially correct as to a certain idea, and that is, when speaking to some of the other members of the board about any proposition the word would go to the others and I would find in speaking to them that they knew all about it, that is that they knew what the proposition was. Some of them would speak to me about it. (1692&3)

Q. Will you please tell me, Mr. Gallagher, the names of the individuals to whom you did speak and told them that they would get \$500 for their vote if they voted for the Wilsons? A. My best recollection is that I spoke to Mr. Wilson, about it, Mr. Dexter, Mr. Henderson, Mr. Harrigan, Mr. Coleman, and to some of the other members; I cannot say positively which. Q. You have named five supervisors out of nine, which besides yourself? A. Yes, sir. Q. Can you tell me which of those supervisors you "didn't" speak to before and tell them I would give \$500 in it for their vote? When I say "didn't" I mean did not, of course? A. I do not remember speaking to those who did not, of course. I am quite satisfied that I did not, that is I am quite certain that I did not. Mr. Duffy, Q. A few minutes ago, Mr. Gallagher, A. I do not recall any others at the time. I would say for certain I did not speak to in advance of this. (1914 & 1915)

I am quite sure that told me in that conversation about the prize fight, that to get all of the members. I do not know why I did not go to Harrigan on Friday. I did go to Wilson, T. Duffy, and had a talk with him. I will not say that I positively remember having spoken to Wilson, but I will say that I remember speaking to him and telling him there would be \$500 for him. He said all right. It is my best recollection but I would not say positively that I spoke to Duffy about giving him \$500 for his vote in the prize fight matter before it passed to print. I am not positive of speaking to Henderson then to Duffy. As to Wilson and Duffy, my recollection is about equal, but I am not positive as to either. I admit that I testified that I had talked with Wilson, Henderson, Harrigan, T. Duffy, and Coleman about this prize fight before my second conversation with Ruet. (1914 & 1915)

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I do not remember but it is possible Heney and I may have talked about my testimony and these facts after I made the Gladstone statement, and before I went into the Grand Jury room. The Gladstone statement was substantially true and in explanation of that I wish to say that the word "plan" was probably stating it too broadly. As I have stated here is I think more nearly correct and expresses the real situation more accurately, that is that it was something that fell out of this without making it definitely a plan and arranging for it. x x x I imagine my recollection would have been as clear at the time at the Gladstone as it is now and yet it may have been because of all of these trials and conversations that have taken place concerning it, the newspaper reports and so forth and what I have learned during the trial of the cases, constant reiteration of the circumstances and forcing my mind to recall statements made, have refreshed my memory since then. Being so it is hard to tell whether my recollection was just as good then as it is now. Those are problematical matters I cannot answer. Q. And that goes to everything you testified to, doesn't it? A. That is a general condition, that would apply to all matters, but there are some matters that are clearer in my mind and some that are not. (1698-7)

I don't remember giving the statement, but I am satisfied that the report is correct and more nearly states the situation which you now call my attention to in the case of The People of the State versus Abraham Ruef (No. 840) as testimony given by me on May 9th, 1908 on the charge of an offer to bribe Phillips in the Parkside matter, as follows: "Q. Was it a general thing with you in making the statement to make it to almost all of them you spoke to or was it an exceptional thing for you so to do, and would the supervisors say "A ll right, I will accept but when am I going to get it, and you said "When it is officially awarded the Parkside people"? A. That would not be said to them unless the question was asked. I don't want you to understand that I made the particular statement to every one of the supervisors. It was not the custom to do that on matters that were pending before the board until it had come out. I would state to two or three of them and those of them that I would meet, the leading members of the board and they would pass the word along and the matter would be passed along in that way and then they would speak to me about it and the matter would be discussed once in a while but I cannot remember what was said by the member or what I said to each member or what each member said to me." - - - - - (1698)

It is not so that in that same Parkside case I testified several times that it was my habit to speak to two or three, naming them including Wilson and Bixton and have them pass the rumor around; no, I would not, it was not that I would have them do it. The only one that I ever told to speak to another member of the board there about it was Wilson in the case of the member I have spoken of. The others were spoken to, the leading members of the board with the idea of having the word go around among the others, so that I would speak to them about it and then I knew from my experience that the word would go around among the others, so they found that out in talking with the others about it, and the fact that those members would send word along to the others about the matter. - - - - - (1699)

I do not dispute the record which you now call to my attention, to the effect that at the Gladstone, in answer to Mr. Heney's question referring to gas I testified as follows: "Q. And





you sent word around among the members of the Board before the vote that there would be something coming? A. Yes, I told some member of the Board - I don't remember which fellow-- I know there was a general understanding among the boys then, "Is this thing all right?" I said "I understand this is all right," and they understood it, that there would be something coming to them." - - - - - (1699 & 1700)

Q. Was it not true as you stated there, that there was a general understanding between yourself and the members of the Board that you would send the rumor out, and when they came to you and you said "that is all right" it was understood that they were to get something out of it, wasn't there such a general understanding as you testified in the Gladstone statement, the first time you swore, or testified on these matters at all? A. No, my recollection is that there was no such understanding with members that I should send word to them through anybody. - - - - - (1700)

The application on the behalf of the prize fight trust came some time after the applications were filed on behalf of each of the individual clubs or promoters, and whether or not that application of this Prize Fight Trust had been filed at the time I talked with the supervisors or not I cannot say. - - - - - (1202)

Subsequently and about the end of January, 1906, I reported to Ruef that I had spoken to several members of the Board and that the Prize fight matter would be all right. - - - (537)

This report to Ruef was made shortly afterwards, probably a couple of days after I had talked to the Supervisors. - - - - - (549)

I am not certain that I reported back to Ruef before the matter came on for action and until after it had passed to print; that is I am not certain that I went back and told Ruef anything at all about it until what I wanted to do had already been done. - - - - - (1203 & 4)

It is true that on Nov. 11th in this case I testified that I reported back to Ruef upon the Prize Fight matter before it was passed to print; and my best recollection now is that I so reported to Ruef but I would not be positive. - - - - - (1208 - 12)

At the time I had this second conversation with Ruef and application for Prize Fight permits had been filed by Goffroth representing I think the Yosemite Club; the application gave the name of the Yosemite Club; and an application had been filed by Hayes Valley Athletic Club; there were several applications filed but I do not remember the names of the clubs; Willis Britt's name was one of the individuals whose names were filed in connection with the application of clubs, and also Graney and there were other applications but I don't recall the names of the parties who filed them. That second conversation with Ruef was about two days after the conversation in the latter part of January and at the time I had this second conversation with Ruef the applications for permits had been referred to the Police Committee. - - - - - (553 - 58)

After the second conversation with Ruef and prior to the fire action was taken on the Prize Fight applications; the Board



granted the permit to what was known as the Fight Trust to hold a boxing contest during 1906.-- -- -- -- --(559)

Between the time of the passage to print of the ordinance and its final passage I had a talk with Ruef on the subject; it was subsequent to my report to him that the matter would be passed by the Board and my best recollection is that it was subsequent to the passing to print of the resolutions; it was before the final passage of the resolution; and Ruef then stated that he was ready to turn over the money in the prize fight matter and he gave me \$9,000, about \$2,000 in gold and the remainder in currency and he counted it out in my presence. (562-65)

It was about the end of February or the first of March, 1906, when Ruef gave me that \$9,000.-- -- -- -- --(1230)

My recollection of the currency that Ruef gave me in the prize matter is that it was made up of bills of various denominations; there may have been some ones. I don't remember of there being any twos; I think there were some fives and tens; there was some twenties; I think there were a few fifties, probably four or five or six; I don't remember any one hundred dollar bills or five hundred dollar bills, or any denomination above that.-- -- -- -- --(1233)

I distributed the prize fight money to the members of the board as soon as I could, maybe some that very afternoon or evening. I gave Wilson \$475. of that money in gold at his place of business and told him it was in the prize fight and that I had deducted five per cent. for myself and he said it was all right. That was within a day or two after I received it from Ruef and the money I gave to Wilson was part of the coin I got from Ruef. I paid Boxton, Furey, Sanderson and Duffy a like amount and told them the same and none of them complained. (1238)

I think my talks with the other supervisors when I paid them in the prize fight were about the same as those I have stated, with the exception of McGushin, and nobody made any complaint to me about it.-- -- -- -- --(1251)

I did not tell a single supervisor that I got the prize fight money from Ruef to give to them or that Ruef knew a thing about it.-- -- -- -- --(1252)

The Prize Fight money was paid to me by Ruef before it was finally passed to print and I in turn paid it to the members of the Board before it was finally passed to print; that is before it was finally passed I got this money from Ruef and paid it out to the supervisors between the time that it was passed to print and the time that it was finally passed by the Board.-- -- -- -- --(1249&50)

I gave each member of the Board \$475. and the balance I retained myself. I could not say which was the first or which was the last of the Board I gave money to in this matter but the payments covered a couple of days. I commenced paying as soon as I could see the members which would be almost immediately, the same day or the day following and in making the payments I used the very money that had been given to me by Ruef.-- -- -- -- --(576-7)

Subsequent to the payment of the money in the Prize Fight matter about the time that I was paying the money to the members in the Prize Fight matter I had a talk with Ruef at his office in which I told him the McGushin was rather demurring at taking the money and I told McGushin that he had better go down and talk with Ruef, and he said "All right, if he



It was about the end of February of 1968 that I was advised by the Bureau of the FBI that the Bureau was interested in the activities of the Black Panther Party (BPP) in the Los Angeles area. I was then assigned to the Los Angeles office of the FBI and was given the assignment of investigating the activities of the BPP in the Los Angeles area. I was then assigned to the Los Angeles office of the FBI and was given the assignment of investigating the activities of the BPP in the Los Angeles area. I was then assigned to the Los Angeles office of the FBI and was given the assignment of investigating the activities of the BPP in the Los Angeles area.

[illegible]



comes around I will talk with him".- - - - - (637-9)

At the time I was paying the money to the supervisors in Prize Fight matter or about to pay it I had a talk with Ruef; it was either at the conversation at which I received the money, or the following day; and I then told Ruef that I was going to deduct 5% for myself and he said all right or to suit myself; and a short time after the money had been paid in the Prize Fight matter Ruef said to me at his office that some of the members were objecting to my keeping 5% and I told him all right that I would not collect it and he said that he would fix it with me so that I would receive a larger amount in the future and I said all right. (639)

After payment in the Prize Fight matter I was told I think by Wilson that some of the members had complained about me keeping 5%, and afterwards Ruef spoke to me about it and I said that I would cut it out.- - - - - (1251)

I did testify in the First Ford trial at page 326 as follows: "Q. It was agreed that if you could get that money and pass it to them you were to get 5%? A. No, it was not exactly in that way, Mr. Rogers, the understanding was that there was to be a certain amount of the money paid; that was the first transaction; I felt that for my services in handling the matter for Ruef and the Board I should receive from them a payment in excess of the amount that they were receiving. I spoke to each member as I made the payment to him and no one objected. After the transaction was completed some of the members complained and I then stated that the 5% proposition would be abandoned and that then I would feel that I was acting solely for Mr. Ruef in the matter of distributing whatever amounts might be agreed upon and not jointly as representing both." (1735&6)

I did testify at the Gladstone as follows: "Some of the boys complained about the 5% commission afterwards and I simply said "all right we will attend to them; you fellows will not be so well off, but it suits me." None of the members complained to me individually, I think Wilson told me there was some complaint and I told him that it would be all right, it would make no difference to me and we would cut it out. The fact that the members had complained was called to my attention by Ruef and it was then that the matter was cut out.- - - - - (1700 & 01)

It is not the fact that I made an agreement before I paid them the money that I was to get 5%. I may have testified that such was the fact in the Ford trial but I don't recollect the fact at this time as being as you stated. It is true that I testified at the first Ford trial, volume 1, page 326, as follows: "I took a commission out of the Prize Fight money. What I meant by a commission is that I had an agreement with the members of the Board that I should receive 5% of the amount that was to come to them extra for my services in delivering the money to them. That was agreed upon by all of them at the time--afterwards-- Q. When? A. At the time the payment was made; before any payment was made. Q. Before any payment was made? A. Yes, sir before I delivered the money I talked to them about and it was agreeable to all of them." I testify to that same thing now. Before giving them the money I explained

[illegible]

After I returned to the Police High School, I was told I was a "bad boy" and that I was a "bad boy" and that I was a "bad boy".

I am writing you again I hope you are well  
and happy as ever. I have been thinking of you  
very much lately and wondering how you are getting  
on. I hope you are still working hard and making  
progress in your studies. I am sure you will  
achieve all your goals if you keep up the good  
work. Write back soon and let me hear from you.  
Your friend,  
John Doe

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the activities of the Committee for the Liberation of the People of the South (CLPS) in the United States. The Commission is therefore unable to determine whether the CLPS is a legitimate organization or a subversive one.

[illegible]

the 5% commission to them to see if it was satisfactory  
and none complained.- - - - - (1701 & 2)

There was no objection or complaint to the commission when I  
made the payments to the members.- - - - - (1311)

I do not remember the exact words used in talking to  
Wilson but the idea I think would cover it that I said in  
substance to whoever it was "You fellows will not be so  
well off, but it suits me." and that occurred after the  
Prize Fight and before I made any other proposition to them. (1312)

(The testimony of Gallagher in the second Ruef trial  
as to Promises and Payments in the Prize Fight matter  
will also be found separately treated in another vol-  
ume entitled "PROMISES AND PAYMENTS.")

the 25th anniversary of the 1917 Revolution to see if it was still  
and more successful. . . .  
There was no objection or complaint as to the  
with the results of the work. . . .  
I do not remember the exact date when it was  
William told me that I should go to the 1917  
anniversary to see if it was "you" (William) who  
well off, but it was not, and the people were  
before the 1917 anniversary I was not very good at it.

The anniversary of the 1917 Revolution was held  
in the streets and squares of the city. The  
all kinds of people were there to see the  
and the people were very happy.



- II -

PARKSIDE.

- 11 -

SECRET

PARKSIDE.

Early part of January, 1906, Ruef told me the members were going out with the Parkside people, and said: "Tell the boys to hold it back until we see what these people are going to do," and I said "all right." That application was then pending. It was filed at the first meeting in that term and was referred to the Committee on Public Utilities. - - - - - (569 to 72)

Ruef said to see the boys and have them hold back Parkside until "we" see what "we" can do with those people. (1343 & 1357)

Previous to the time when Ruef told me to tell the boys to hold the Parkside back I did not ask Ruef what I was going to be given or paid for carrying messages of that kind. - - - - - (1537)

I do not remember when my first conversation took place with Ruef about the Parkside matter. He spoke to me about it just before we went out to inspect the grounds with the Parkside people (1256)

Before I made the offer in the prize fight matter I think I had a number of conversations with members about the Parkside matter, as it was coming up for mention and discussion in the board. - - - - - (1329)

Just previous to the luncheon I had talked with Boxton about holding back Parkside, and with Wilson; I am not certain about Furey nor Phillips; I don't recall others than Wilson and Boxton at this time that I spoke to about holding the Parkside back. The Parkside application was filed on January 8th; Boxton was chairman of Committee on Public Utilities and the application of Parkside was referred to that committee, and Boxton was one of the men I spoke to prior to the luncheon and told him to hold it up until we could see what these people were going to do, and I think I told him Ruef said so. The reason I spoke to Wilson was he was an active and one of the most prominent members of the board, but was not on that committee but was a man of intelligence and business ability. Coleman was on that committee. I think Wilson and Boxton said "All right." I do not remember talking to Coleman about holding back the Parkside ordinance before the luncheon, but I may have. I do not remember talking to Davis before the luncheon; I did not speak to McGushin. Nicholas was a member of that committee, but I don't remember speaking to him about holding it up before the luncheon or at all; it is possible I may have done so. Kelly was a member of that committee but am not positive that I spoke to him about holding it back before the luncheon, but I may have. The committee consisted of seven. Rea was a member. I don't remember having spoken to Rea before the luncheon not Kealy, Phillips or Coffey. I did not speak to Sanderson. I don't recollect any other member. - - - - - (1330 to 1336; & 1344)

I am quite certain it was before the Casino luncheon that I had these talks with Wilson and Boxton and the others about holding back the franchise but I do not desire to be understood to say that there is no possibility of doubt of my being mistaken. - - - - - (1351)

Before Ruef ever spoke to me about Parkside, Duffy was opposed to it and expressed opposition to it and there might have

[illegible][illegible]



been others. My best recollection is the members were rather holding the matter in abeyance, but I don't know why. - - - (1354)

Am quite certain that on Jan. 16th, when we went to the Casino luncheon I had not made any offer to any of the supervisors or paid them any money or talked about any illegitimate proposition. - - - (1314)

At the Parkside luncheon Boxton said "You people are not in this thing for your health and neither are we." Up to that time I had made no offer of money to any supervisor in any matter. - - - (1349 & 1350)

The Sunday after the Casino luncheon I had a talk with Ruef and I then told him I had spoken to some of the members about holding back Parkside and that nothing had been agreed upon at the conference with the Parkside people at the luncheon. Ruef then spoke of Boxton saying something that had been reported to him and he thought it not well-advised and it was something to the effect "You folks are not in this proposition for your health and neither am I." - - - (584 to 588)

I cannot say when the next talk with Ruef about Parkside took place as I had a number of them. - - - (588)

I had another talk with Ruef at his office previous to the passing to print of Parkside and he then stated that there would be \$750 for each of the members in that matter and asked me to see them and see if that would be all right and I told him I would. - - - (589)

There is no doubt that before Parkside was passed to print Ruef told me to see the members and tell them there would be \$750 in the Parkside and to see if that would be all right. That is, to see if the supervisors would be satisfied with that figure. - - - (1359 & 60)

Between the Parkside luncheon and the time I made the offer to any supervisor in the Parkside matter I had not remembered that any supervisor came and asked me anything at all about what I was doing in the Parkside matter or what Ruef was doing in the matter, nor between the time of my offer, and the time of payment in the prize fight matter but it is possible that some of them may have requested me in the interim to speak to Ruef in the Parkside matter but whether they did or not I don't remember. (1352 & 3)

After Ruef told me that there would be \$750 for each supervisor in the Parkside and asked me to see the members and see if that would be all right. I complied. I spoke to Wilson, Boxton, Coleman, Furey, Harrigan, Nicholas, Phillips and some of the other members. I talked with those members a day or two after the talk with Ruef and a few days or a week before the Parkside ordinance was passed to print, and told each of them that there would be 750 in the Parkside and each said that would be all right. - - - (590 to 596)

The supervisors that I saw before I reported it back all right to Ruef in the Parkside matter were Wilson, Coleman, Box-



ton, Harrigan, Furey and Phillips, and there were some others, I think I spoke to Mamlock, Davis and Coffey. It is my best recollection that I spoke to Nicholas. I would not be positive about Sanderson or Walsh. - - - - - (1361)

About two days after telling the supervisors that there would be \$750. in the Parkside, and before the matter was passed to print I had a talk with Ruef in which I stated to him that I had spoken to the members and that the Parkside matter would be all right and would go through. - - - - - (596 to 8)

I am quite certain that I reported back to Ruef that the matter would be all right. - - - - - (1360)

After that last conversation with Ruef the ordinance was passed to print and finally passed; I don't remember the exact date, but it was before the fire. - - - - - (598 & 9)

I don't recall any conversations with Ruef after the passing to print of the ordinance and before April 18th, 1906. --- (600)

I did testify substantially as follows in the Parkside matter before the Grand Jury in March, 1907: "Q. Now then, the Parkside proposition, was there any understanding in regard to money being paid on that? A. There was nothing paid on that to any of the members that I know of; there were some rumors, and Mr. Ruef spoke to me about it and said there ought to be a payment of \$750 to each member on it, and afterwards said if the thing was changed from 20th avenue to 19th avenue there ought to be a thousand dollars paid. x x x He did not say he was ready to do so; on the contrary he always denied that he had the money to pay it with." That answer contains some inaccuracies, but substantially the testimony was given as stated there. (1787)

My best recollection is that the first matter in which the proposition of money was made to the board was the prize fight. Other matters came up first, but there was no proposition made in them. For instance, I think the application of Parkside was filed, and he mentioned it, but there was no proposition made in it. The prize fight matter will be the first matter. (1180 to 82

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--III--

CAS.

--III--

.226

TESTIMONY OF SUPERVISOR GALLAGHER IN THE LAST RUEF TRIAL (No.1437)  
AS TO ALL THE MATTERS BUT THE TROLLEY.

GAS.

The next matter after the Parkside matter that Ruef spoke to me about in relation to any corporation matters that were pending or that he said were to go before the Board was the fixing of the rates for lighting in this city and county and that conversation took place some time at the end of February, 1906. Ruef stated that there would be \$750 for each member in the matter and requested me to see them and report back to him and I told him that I would do so. Something was said in that conversation about the rate to be established. Ruef said it was to be 85 cents. I had frequent discussion with Ruef on this matter before that time but I cannot fix the date but they continued along during the period that the board was fixing the rate and was subsequent to my taking office in January 1906. Some of these conversations were at the office and some on the street. The talk about the money was at his office. (611 - 616)

The talks I had with Ruef with regard to the Gas prior to the conversation in which he mentioned the \$750 and the 85 cent rates were talks upon the general effect of the rate. I remember that there was a discussion of the fact that the company had sustained a severe loss previously and that that matter could be used to appease the public in the fixing of the rate, and Ruef spoke of the fact that the platform called for 75 cents; we talked of the difference it would make in the income of the Company and it was a large amount but I cannot fix it. - - - - - (622 (622-5))

I cannot say positively whether Ruef did or did not say to come back and report to him whether the \$750 each was satisfactory to the members but I think he did. (1361 & 2)

The matter of the gas rate had been talked of in the Board before that talk of mine with Ruef but I cannot remember any specific conversation with any particular member about it, but I do not remember that I had any talk with any member as to whether there would be any money in it, but I may have had. I recollect a caucus of the Board at which the discussion of the gas rates came up but I could not say whether it was before or after Ruef told me there would be \$750. - - - - - (1315 & 16)

I do not recall any discussion at all by the members upon the subject before Ruef told me there would be \$750. for each member and yet there may have been talks concerning the fixing of the rates before that time. - - - - - (1316)

I remember discussing with Ruef the question of whether the rate ought to be 75 or 85 or 90 or 95 but I could not say that it was at that particular conversation at which the \$750 was mentioned, as there were many talks following one another closely, but I know that at the time I had this conversation it was understood by me that the rate was to be 85 cents; in that same conversation Ruef and I discussed about the gas company having sustained a great loss by the fire; and I think it was also discussed by others. - - - - - (1317 & 18)

There was no conversation between me and Ruef to the effect that Wilson, Furey, Boston, Coleman, Phillips,





Mamlock and Davis or any one of them was opposed to such a thing and that we would have to give them money in order to get them to vote for it. Nor did we have no conversation to the effect that it was not necessary to give any of them any money on the gas matter. - - - - - (1318)

I do not remember whether the ordinance had been introduced fixing the rate at 85 cents at the time Ruef told me about the \$750. in the gas matter. - - - - - (1323)

The talks with Ruef in which the \$750 was mentioned and the 85 cent rate was just a few days previous to the passing to print of the ordinance. - - - - - (625)

My best recollection is that I sent at once to speak to the supervisors about the gas matter. - - - - - (1320)

(The testimony of Gallagher as to Promises and Payments in the Gas matter will be found separately treated in the volume entitled "PROMISES AND PAYMENTS.")

The amount I got from Ruef for this Gas matter was \$13,350 and my best recollection is that it was in currency. It was in currency. I do not remember just now whether he put it in fifty dollar packages, one hundred or a thousand; I could not say how many dollar bills there were, I don't recollect if there were any dollar bills, there may have been. I don't remember of there being any two dollar bills; I think there were some five dollar bills. I think there were ten dollar bills, but it is impossible for me to tell just how many and it would be difficult to approximate closely enough to be of any value. It was counted out by Ruef in my presence and I afterwards counted it when I made it up into packages. I handled it twice, first when I got it and saw him count it and then when I took it out from where I put it. I cannot tell how many tens there were. I think there were twenties but I cannot tell how many. I think there were some fifties. I don't remember of there being any one hundred dollar bills. There may have been one or two five hundred dollar bills, but I am not sure. I don't remember how big a package that \$13,350 was. Don't know if it was day time or evening but I left Ruef's office with that Gas money. I was alone. My best recollection is I carried it away in my pocket. I don't remember how many of my pockets were used. I don't remember that the money was in a package. My best recollection is that I took it away in my pockets which would make it in different packages. I am not positive that I did not take it away in a package. I am quite certain that I did not take it away either in a bag or satchel. I do not know whether I went directly to my office or directly home. My best



recollection is that I went to my office, finally went to the office with that money. There was no safe at my office. I do not remember how long I carried it in my pocket. My best recollection is I went to the office with the money and made it into packages; that part I paid out to members of the Board immediately. What money I had that wasn't paid out to the members immediately was either kept at my office or put in the safe deposit box, according to the time when I received it. My best recollection is that I had the safe deposit box at the First National then. - - - - - (1447-52)

The bills were five, ten, twenty, and I think a very few fifty dollar bills. - - - - - (631)

At the time Ruef paid me the money in the Gas matter I told him McGushin was not in on the proposition and was not to receive any money and that none was needed to pay him and then he said all right that he understood that and he figured out the amount without counting McGushin in; At the same time Ruef stated that I should receive a larger sum than the others because I was acting for him in the matter, and I received \$1350. - - - - - (636, & 7)

Ruef didn't say to me where this money was coming from that he delivered to me in the gas matter. - - - - - (1318)

It probably took me a couple of days to pay out that money to those supervisors, not more than that except in some instances, where some member happened to be away, or something of that kind. I put \$750 in each envelope. There were 16 members of the Board. Whether I paid all the money in envelopes that I gave to them I don't remember, but I know that there was some of them that I placed in envelopes, I think a majority if not all. - - - - - (1453)

In handling the currency that I put into envelopes I don't remember if I found any one dollar bills, but there may have been; I don't remember that there were any two dollar bills; my best recollection is that there were five dollar bills. I have no recollection clear enough to say that there was so many fives or tens or twenties and I don't remember that there were any ones or twos yet there may have been. The money that was left after paying any member that I was able to pay on that day was placed either in the safe deposit box or left in my office according to the hour at which I received the money. I retained \$1350 and put that in the safe deposit box. (1453 -5)

I don't remember just what denominations the bills were in that I kept out of that money and it is just as likely to have been one as the other; I should say it was composed of the various kinds of bills that had been given to me, but as to that I have no independent recollection (1455)

I had a talk with Rea after the ordinance had been passed to print finally. I had only one conversation with Rea on that subject and it occurred sometime during March, 1906. At the time of payment to Rea he said that he understood there was some money coming or the Gas matter and that I had said nothing to him about it and that whatever money was coming to the other members he wanted an equal amount and I told him that I had intended that he should receive his, that he was included in the amount



recollection is that I went to my office, in the  
the office with that money. There was no sale of any  
officer. I do not remember how long I carried it with  
secret. My next recollection is I went to the  
the money and was in the garage; that night I  
members of the Board immediately. That night I  
where I got out to the garage immediately and  
left my office at that time depositing it  
according to the time when I received it. I  
collection is that I had the safe deposit box  
I had - - - - -  
The bills were five, ten, twenty, and I  
fifty dollar bills. - - - - -  
of the time that I was in the car  
I told the man and told him the proper  
was not to include any money and that none was  
to get him and when he said all right that  
that he had figured out the money without  
deducting it. At the same time I asked  
before I turned him the money because I was  
him in the matter, I received \$1300. - - - - -

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[illegible]



that was received in the matter and I gave him an envelope containing \$750 that I had intended for one of the other members; and I told him that I had not intended to pay him at that time but that I would do so.- - - - - (629-634½)

(As to the testimony of Gallagher as to Promises and Payments in the Gas matter see independent volume entitled "Promises and Payments".)

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- IV. -

TELEPHONE.

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THE JOURNAL



-----  
TELEPHONE.

The telephone matter was mentioned to me by Ruef a number of times after the application was filed but it is impossible for me to give dates, language or words. - - - - (641)

I had several conversations with Ruef just previous to the passage to print of the ordinance; I was meeting him almost every day at his office, on the street or at the Pup. The Pup conversation was three or four days or a week previous to the passing to print. It was in the evening of the day on which I had the conversation at his office which I have related. I cannot state how many days it was before the passing to print of the ordinance and at that conversation at the Pup I told Ruef I had seen the members of the Board at Woodward's Pavilion and that I talked with Wilson, Harrigan, Lomergan and a couple of others who were there and that I thought the matter would be all right and that the members would support the Home and Ruef said he was glad to hear it. - - - - - (650-654)

About a week or two previous to the conversation in which Ruef gave me the first payment on the telephone matter I had a conversation with Ruef at his office in which he stated that Wilson had been to see him and had stated that he represented two or three other members of the Board and that they wanted to know if the amounts they were to receive in the various matters were correct; that some of the members felt that the right amount had not been given to them in the Gas matter and they wanted Wilson to verify the amount they were to receive; the names of Mamlock and Furey were mentioned by Ruef as two of the members that were acting with Wilson. - - - - - (660-664)

I first got money from Ruef in the telephone matter some time about the latter part of March or the first part of April and it was \$62,000 but was divided into installments and was not paid all at once. I got the first payment about the latter part of March or the first part of April. I had a safe deposit box then in the First National Bank Vaults and I think one at the California Safe Deposit. I kept the two boxes at the same time. I could not say how long a time elapsed between the first and the second payments made to me by Ruef in the telephone matter but it was probably two or three days. The first payment was about twenty or twenty five thousand dollars and was in currency and was a substantial half of the payment but I could not say whether it was a full half or little less. Ruef counted it bill by bill in my presence. There were a lot of loose bills. He counted it up in the sums of either 500 or a thousand. The bills in the first payment were very large denominations, probably fifty and a hundred dollars. I do not remember of any ones and twos and I don't think there were any. I doubt if there were any bills as small as fives. There may have been a few tens and twenties but not many. I don't remember whether it was wrapped

The telephone number was mentioned to me by Mr. Ballew  
per of this office. The application was filed on 10-10-1934  
possible for me to give statements or answers to the

I have several conversations with Mr. Ballew in regard to the  
case to which the evidence is being presented. I was meeting him at his  
day at his office on the street on 10-10-1934. The  
conversation was of a few days or a week or more  
to the passing of time. It was in the evening of the  
day on which I had the conversation at his office and  
I have retained. I cannot state how many days it was  
before the passing of time. I cannot state how many days it was  
conversation of the day I told him that I had seen the  
of the Board of Wounded Veterans and that I had seen  
with Wilson, Harrison, and a couple of others  
who were there and that I had seen them and that  
night and that I had seen them and that I had seen them  
said he was glad to hear it. I cannot state how many days it was  
before the passing of time. I cannot state how many days it was  
which had been the first night on the 10-10-1934  
let I had a conversation with him at his office and  
he stated that Wilson had been to see him and that  
that he represented two or three other members of the Board  
and that they wanted to know if the amount was to be  
given in the various matters were correct; that he was at the  
meeting and that the right amount had been given  
to him in the various matters and that he had seen them  
the amount was to be given; the amount was to be given  
they were satisfied by him as to the amount of the  
were satisfied with him. I cannot state how many days it was

I stated that I had seen him in the telephone number  
April and it was 10-10-1934. I was given the  
and was not paid at that time. I had the first payment  
about the first part of April of the first part of April.  
I had a letter from him in the first part of April.  
and I said to him that the letter was dated April 10-10-1934.  
The two letters were the same. I could not say  
a time elapsed between the first and the second letters  
made to me by him in the telephone number and at the same time  
two or three days. The first payment was about the first part of April.  
five thousand dollars and was in cash and was a check for  
half of the payment and I could not say whether it was  
full half or little less. I could not say whether it was  
in cash. There were a lot of letters from him  
coming to me in the same of either 10-10-1934 or 10-10-1934.  
The letter in the first payment was very large and  
notations, probably first and a hundred dollars. I was  
not paid at any one and two and I could not say  
were any. I could not say whether it was a check or  
them. I could not say whether it was a check or  
had not seen. I could not say whether it was a check or

up in a package or whether I put them into my pocket. I think it was in the afternoon. I think I went direct to my office or to the safe deposit. The money that was not immediately used to give to the supervisors was put in the California Safe Deposit box. I am not positive as to how much I put in there as I think that some of it had been paid to some of the supervisors. Now that you remind me, you are right that I swore before this court on July that I kept that money until I got the second installment. My last statement was under a misapprehension. I was directing my attention to the payment of the full amount. The first installment was kept until the second was received and was put in the California Safe Deposit & Trust Company. I don't remember whether it was in packages and divided off into thousands. My best recollection is that it was divided and put in packages with a rubber around, probably four or five bunches of about a thousand dollars; that is it was divided into thousand dollars and then a number of them put together and another rubber put around them. I should say the package was maybe three inches in height. - - - - - (1476-87)

The second payment in the telephone was about 20 or 30 thousand dollars. The total amount was \$62,000. The second payment was in currency, principally all bills of the denomination of 50 and 100 dollars. I don't remember whether it was tied in a package or not. I am not certain whether I put it in my pocket or how I carried it, nor whether I put it in my desk temporarily. I don't remember to have taken it to the Safe Deposit box. My best recollection is that I started to pay it out at once to the members of the board. I made it up into packages. I cannot tell as to the number of packages that I made of the second payment. I put a specific amount in each envelope, various amounts according to the persons to whom the money was to be paid, that is to Davis, Kelly, Harrigan and Duffy, \$6,000 each. The denominations that I put into the envelopes containing \$6,000 each, the largest amount was in bills of big denominations, 50's and 100 dollars. There may have been a few twenties and tens, but not many. I cannot tell you exactly the size of the \$6,000 package, the largest one of the four, but I used a large envelope, and in some instances it was difficult to fasten it. I sealed up the envelopes and put them in my pocket, and went out and paid them to the different members. I did not carry them all at one time. I would put several in my pockets for the different members and when I would meet them I would pay them, or go to where I thought I would meet them and pay them at different places, according to my recollection. Five did not get any money and the others made twelve. Some of them were given envelopes, some at their homes and some at the board rooms. I gave the envelope to Harrigan at my office. My best recollection is that Duffy and Kelly received their envelopes at the office. Harrigan I paid at his home, and Phillips at his place of business. It probably took a couple of days for me to make those payments. According to my best recollection the denomination of the bills which I left in the safe deposit box were all one hundred dollar bills. (1488-97)

The second payment made to me by Ruef in the telephone matter was in currency and the denominations ran from \$5 to \$50, mostly bills of large denominations; there were







some five, ten and twenties and a large number of fifties and one hundred dollars; probably fifty thousand dollars of the money was in bills of large denominations; fifty and one hundred dollar bills; according to my best recollection there was about from ten to twelve thousand dollars in bills of ordinary denomination, say five, ten and twenties; the balance of about fifty thousand dollars was in bills of denominations of fifty to one hundred dollars. At the time of the second payment Ruef said to pay the money over to the members in the proportion that had been mentioned before; and in that conversation I do not recall any discussion about the franchise itself.----- (667-70)

In making the payments to the members I used the money I had received from Ruef and those payments were made to the members within two or three days after I received the last installment of the money.----- (673)

I did testify as follows at the Gladstone about the telephone matter: "Q. What was the next proposition that came before the Board? A. The next proposition was the telephone--but it-- x x x Q. Who took the matter up with you? A. Mr. Ruef. Q. And that was at his office also that he discussed it with you? A. Yes, sir at his office, and discussed it also at my office, and we had a number of conversations about the telephone matter. Q. Give us the substance of those conversations? A. Well he was discussing the likelihood of being able to pass the Home Telephone application and discussed with me as to whether or not the efforts of the old telephone company would be sufficient to prevent the passage of the Home telephone franchise. Now he asked my judgment about that. I told him that I thought it would be passed and I told him also personally I was in favor of it and he then told me that he would make definite arrangements for the purpose of securing the money when it was needed to put it through. Finally at the last conversation we had about the arrangements for the matter he told me that he could secure enough votes to allow each member of the Board \$3,500. That was the conclusion of his discussion with me in the matter. Q. In these discussions did he state to you that he knew or had heard that certain members of the Board had already received money from the Pacific States to oppose the granting or putting up for sale of the franchise? A. Yes, sir, not at that time. Q. In any of these talks prior to the payment of the \$3,500? A. Not prior to that, no. Q. That conversation was subsequent? A. At the time he talked about \$3,500 as fixing that price he then did not state anything in that conversation in regard to his having heard that certain members had received the money from the Pacific States--no it was previous to that statement; at the time that statement was made nothing definite had developed concerning the efforts of the Pacific States. Q. You say it was previous, you mean subsequent? A. It was subsequently developed that they had. Q. After Ruef told you it was to be \$3,500 you then sent word out among the boys that it was to be that amount? A. Yes, sir. Q. Do you recall whom you sent that word by? A. I am pretty certain I spoke to Wilson about it; it is a long time ago. We have discussed so many matters since, to say positively; I am quite certain I did speak to Wilson about it perhaps to

I am writing you at this time to tell you that I have received your letter of the 10th inst. and am glad to hear from you. I am well and hope this letter finds you the same. I have not much news to write at present. I am still in the same place and doing the same work. I hope to hear from you again soon. I am, dear friend, ever your sincere friend, A. J. [Signature]

I am writing you at this time to tell you that I have received your letter of the 10th inst. and am glad to hear from you. I am well and hope this letter finds you the same. I have not much news to write at present. I am still in the same place and doing the same work. I hope to hear from you again soon. I am, dear friend, ever your sincere friend, A. J. [Signature]

others. Q. At any rate others came to you to find out if it was all right, practically all came to you? A. That is right." (1702-4)

I did not send Wilson out to see those boys who had taken money from the Pacific States. I talked to him about it and told him to speak to some of them. My present recollection is that Ruef sent him out. My recollection is that I did not talk that matter over with any of them at all, till I talked it over with Ruef. Ruef is the one who told me about it and stated that he talked it over with Wilson and that Wilson was going out to the Boxing contest at Woodward's Pavilion and he asked me also to go out and assist in the matter. I advised some of these members to return that money to the Pacific States and Ruef said that they ought to. - - - - - (1709)

I testified at the Gladstone as follows "Wilson went over the list of those he was satisfied had received money from the Pacific States. The men refused to return the entire money and I recommended those who spoke to me that they should return half of it." - - - - - (1710)

Representatives of the Home Telephone appeared before the 1905 Board and advocated the granting of this franchise of putting into the city a competing telephone line and while I was a member of that Board I advocated the taking up of the proposition and met the representatives of that Company at that time. I am satisfied I did not meet Detweiler before the labor union nominations in 1905. I had met Mr. Thomas, the lawyer. They made an active campaign to cause their franchise to be passed to print before that former board and I think Harry Creswell spoke to me about it, and I spoke in favor of it. - - - - - (1260-62)

(As to the testimony of Gallagher as to Promises and payments in the telephone matter, see independent volume entitled "PROMISES AND PAYMENTS".)

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United Kingdom regarding the progress of its investigation into the alleged activities of the British Security Services in the United States.

[illegible]

I am sorry that I cannot give you more information about the situation here. The weather is very bad today and I have to stay at home.













Cross Examination of Gallagher  
on  
Immunity









ORAL EXAMINATION OF CALHOUN

11

IMPEACHMENT.

(1) Q. You have been a witness on behalf of the prosecution in the following proceedings in the last two years, have you not:

- (a) Gladstone,
- (b) Grant Jury,
- (c) First Ford Trial (No. 817)
- (d) Second Ford Trial (No. 823)
- (e) Third Ford Trial (No. 818)
- (f) First Ruef Trial (No. 840)
- (g) First Preliminary Exam. before Judge Cameron  
in Dept. 4 of the Police Court,
- (h) Second Ruef Trial (No. 1437)
- (i) A Veterans-Aidder Lineal Proceeding,
- (j) Coffey Trial (No. 1440)
- (k) And the present trial of Dr. Calhoun - ?

(2) Q. You have testified in all these proceedings and you are testifying here today in discharge of an agreement and arrangement entered into between you and certain other people about two years ago, is this not the fact?

(3) Q. That previous arrangement and agreement was made with one side of this case and not with the other was it not? That is, that agreement and arrangement binds you to the prosecution alone, and you are under no bond, agreement or arrangement with this defendant?

(4) Q. While you are under bonds, as it were, to the prosecution side of this case, the only hold that the defendant has on you that you know of is the obligation of your oath as a witness, is that not so?



(5) Q. Now that previous arrangement, agreement or contract with the prosecution has not only obliged you to be a witness in the proceedings in which you have already testified, but requires you to testify as often and in as many proceedings as you may be called upon to do so by the prosecution?

(6) A. Until that preliminary deal was effected by you with the other side, you never offered yourself as a witness to the other side and never consented to give them your aid or co-operation in any respect,- in fact you had not and would not have anything to do with them until that preliminary bargain was struck; that is so, is it not?

(7) Q. So that on none of these eleven occasions when you have testified, have you testified from any other motive than those covered by that original compact?

(8) A. In other words, you have testified on those eleven occasions, and you are testifying today, solely and exclusively by reason of certain inducements and considerations coming from the other side of this case?

(9) A. You have never testified in any of these proceedings in the frame of mind or attitude of the ordinary witness who is merely subpoenaed to tell the truth and who owes no allegiance to either side, and is under bonds to neither side, and has had no previous arrangement with either side, and who is to get nothing from either side for his testimony; that is so, is it not?





(10) Q. That previous arrangement, agreement or contract was entered into by you on one side representing yourself and other supervisors, and one Rudolph Spreckels on the other side was it not? That is, he was the only person you dealt with up to the time the original deal was struck and you and your associates agreed to become witnesses?

(11) A. Up to the time you gave your first testimony for the prosecution, namely at the Almadene, you had testified about your testimony and that of your associates with no one but Rudolph Spreckels, that is so, is it not?

(12) A. It was with Rudolph Spreckels that the deal by which you are here today was originally negotiated and struck, was it not?

(13) Q. Now, Mr. Gallagher, it is the fact, is it not, that there was a great deal of negotiation and dickering and bargaining about terms and conditions between you and Spreckels before you got down to a flat agreement, and that those negotiations and dickering and bargaining, as run through three or four conferences between you and Spreckels, and about three or four conferences between you and the other supervisors whom Spreckels wanted for witnesses?

(14) A. And it is the fact, is it not, Mr. Gallagher, that those negotiations between you and Spreckels were all carried on in U.S. government territory, and outside of the jurisdiction of the State of California and of the City and County of San Francisco, namely in the Presidio?



(15) Q. And it is true that that place was deliberately chosen by you and Spreechle for the purpose of carrying on those negotiations and arriving that agreement.

(16) A. And it is true, is it not, that at none of those conferences between you and Spreechle was anyone present but you and him?

(17) A. When you and Spreechle had come to an understanding, and when you had notified your associates of the same, you and they without ever seeing or speaking to Langdon, the district attorney, or anyone else representing him, went to the Madison to make your confessions, that is so, is it not?

(18) A. Now this preliminary contact or arrangement between you and Spreechle was a "give and take" affair wasn't it,-- that is Spreechle agreed to give or allow you and your associates certain terms, conditions or considerations or to do certain things which you demanded, and you and your associates agreed in return for the same to do certain things that he demanded?

(19) A. Now the first of the things which you demanded of Spreechle and which he finally agreed to was that neither you nor any of your associates, who should enter into the deal, should ever be prosecuted for any crime which you should later commit,-- that is that no complaint should ever be filed against any of you for any of those things and that the prosecution should enter into and give you a contract that would be a complete defense to any prosecution that should ever be instituted against you for any such crimes;-- in other words--complete immunity.





(20) Q. There was no qualification or restriction to that whatever, was there? That is, no matter how criminal any of you should show yourself to have been, and no matter how many crimes you should show yourselves to have been guilty of, and no matter how heinous those crimes might be, you were to be guaranteed absolutely against prosecution and punishment for each and all of them?

(21) A. And this term or condition or advantage or consideration Abraham Ruef was to have the full benefit of, if he would take it on the same terms as you and your associates? You discussed that with Spreckels and it was agreed to?

(22) Q. In other words, complete immunity from prosecution and punishment was held out to Ruef by Spreckels in those conferences, on the same terms as yourself?

(23) A. And that complete immunity for Ruef was as unqualified as your own -- that is no matter how many crimes or how heinous the crimes Ruef might admit himself to have committed, if he would enter into the same arrangement as yourself, he was to go scot free without so much as even a complaint or indictment being filed against him?

(24) Q. And the very same terms were held out to himself by Spreckels at those conferences, were they not?

(25) A. Now there had been no previous talk between you and Spreckels before you first met at the luncheon in which you told him what crimes you had committed or what crimes you would confess to?



(26) Q. And at none of these conferences at the Presidio did you tell Spreckels what crimes you had committed or what crimes you would confess to?

(27) A. Your testimony here is, is it not, that that I will with the board, exclusively through you is all these matters?

(28) Q. And at the time the bargain between you and Spreckels was struck at the Presidio you had never told Spreckels anything that had taken place between you and Huef, or between Huef and anyone else, nor between you and your associates?

(29) A. And at the time the bargain between you and Spreckels was struck at the Presidio, Huef had made no such disclosures to Spreckels, had he not?

(30) Q. And Spreckels did not say to you at the Presidio that if your crimes, and those of the others, should turn out to be extortion, you should not get immunity? Immunity was on no answer?

(31) A. Spreckels did not say at the Presidio that if it turned out by your testimony and that of your fellows that you had organized for plunder and that pursuant to that organization you had simply besieged Huef and everyone who had any property interests in the town to protect, you should not have immunity, did he? In other words, if it turned out by your testimony that you supervisors and you alone had broken the laws in your criminal operations, and that those upon whom or against whom you operated were guiltless of any crime, you all should still go free for your testimony?





(12) Q. Now at all the times you were working with Spencerville at the Presidio, were you the time you were signed the contract, you knew that there was a bill was under indictment in the French Restaurant case for the crime of "kidnaping" did you not?

(13) Q. You knew that in that French Restaurant case somebody had been indicted for the crime of kidnaping, did you not?

(14) Q. You knew at that time the prosecution regarded the relations of Kael to the French Restaurant proprietors as extortion or that it was only known as "a hold-up"?

(15) Q. And Spencerville did not know from you at the time you had reached your agreement that that the testimony of you and ~~Spencerville~~

you, associates would soon simply a wholesale system of blackmail and extortion carried on by you and your associates in whatever direction you saw an opportunity to profitably operate along these lines?

(16) Q. Anyway, as early as end of that first communication which you and your fellow supervisors, and Kael had indicated, was it not, it was absolutely inevitable that if it turned out that Kael and yourselves had committed any crime whatever and that some of the arrangements was finally and definitely agreed upon between you and Spencerville before you ever suggested it was or these proceedings?

(17) Q. Now you have been saying that you and your associates indicated upon the condition of going over to the Presidio, was that you should all retain your jobs until the end of your trial, was it not?



(38) Q. And that included Bailety, as Commissioner of the Board of Public Works, did it not?

(39) A. And that included Wilson as Railroad Commissioner, did it not?

(40) Q. And that damage and condition - about your building on - to your office was a yard by Spreckels, was it not?

(41) A. A matter item in this arrangement was that Charles should not be prosecuted for a certain furniture deal involving thirty or forty dollars in which he had been indicted, was it not?

(42) Q. Another item you insisted upon and obtained in the negotiations and final agreement between you and Spreckels was that the owners might keep all the money that they had originally received in all their operations, was it not?

(43) Q. Did you not testify at the second Bailey Trial (Ex. 1437) at pages 1239 - 1271, that the matter of keeping the money was discussed by the board, and that you communicated that fact to Spreckels at the Presidio and that you discussed with him about the prosecution attempting to recover that money, and that Spreckels said that he understood that the law on the subject was that they could not successfully prosecute any action to recover that money?

(44) A. Before Spreckels came from you but that you had held up every public service corporation in the town, and before he knew from you but that every dollar of the fifty thousand you got and the thousands your associates got was blackmail or extortion, he agreed with you that he would protect you all in obtaining that money, if you came to his terms and wanted him in relation to the public service corporations and other interests which, as far as he knew from you, had been simply held up?





(43) Q. Now that completes the terms or conditions or considerations which you held out for and which were finally agreed to by Spreckels, does it not, viz: (a) Complete immunity for all the supervisors who should agree to Spreckels' terms, and for Haef and Schmitt if they chose to come in, and (b) That the supervisors should keep their jobs as such to the end of their term, and that Duffy should not be disturbed in the Board of Public Works, nor Wilson as Railroad Commissioner, and (c) That none of you should be required to return any of the hoodoo?

(44) Q. Now having completed the terms and conditions which the supervisors insisted upon getting and which they finally got from Spreckels, let us pass to what they were to give for all this: And one of those items was that they were to do politics for the prosecution, to take political programs from the prosecution, during the rest of their term, was it not?

(45) A. Didn't Spreckels jump at the proposition of your holding on to your offices, didn't he agree to that right off the reel, and didn't he say to you the first time you brought that question up that he felt it would be better for the supervisors to remain in office?

(Record Book Trial p.1873, 2).

(46) Q. Didn't Spreckels give us one reason why he felt it would be better for the supervisors to remain in office that Louisa would appoint their successors? (Record Book Trial p.1871, 2)

(47) A. And Spreckels didn't want Louisa to appoint your successors even if, under the pressure of circumstances then existing, he should appoint honest men?



(80) Q. And isn't it the fact that when Sprinkle agreed that you people should remain in office, and when he was giving you as one of his reasons therefor, he was holding out these inducements by Schwartz to come over? And isn't it the fact that you people were to hold office whether Schwartz came over or not?

(81) Q. Now while you were in office the rest of your lives you did do the policies of the prosecution and were protected from them didn't you?

(82) Q. Didn't Langdon tell you that the prosecution "would advise" with you from time to time while you remained in office?

(83) Q. Didn't you remove the various clerks of the Board, Leane and others, at the behest of the prosecution?

(84) Q. Didn't you elect Eichel as Mayor at the behest of the prosecution?

(85) Q. In what other action of the Board during your term did the prosecution "advise" you what course to take?

(86) Q. Didn't you know that the prosecution advised you with "the good night" during the rest of your term, remaining under your orders under orders and you obeyed them blindly?

(87) Q. Another political step you all took at the request of the prosecution was to resign and take pay for the equivalent of a salary and a board of the prosecution's own selection, wasn't it?

(88) Q. Tell me now when the Board was in office from the time of this bargain with Sprinkle until you got out that you did not do "on the advice" of the prosecution?





(19) Q. Tell us the action taken by the board during that time against the "witness" of the prosecution?

(20) A. The board is consistent with the prosecution during the rest of your time up to matters before the board, were you not?

(21) Q. Was it not a common thing for you to pass the word around among the supervisors that such action or action was the program and told the members, or had any understanding with them, that that meant that it was what the prosecution desired?

(22) A. Did the board conduct as before, or did you justify the word and pass it around?

(23) A. Having had your memory refreshed by all that, are you still of the opinion that Applebach made it one of his demands and conditions that the board should be prosecution politics for the rest of your terms?

(24) A. One of the things Applebach demanded of the board as a condition to this arrangement was that all who for the benefit of the deal should testify whenever called upon to do so, was it not?

(25) A. And pursuant to that agreement each and all of you who entered into that arrangement have had to hold yourselves at the beck and call of the prosecution day and night for the last two years, and have had to come when called either to private conference or to give public testimony; and no convenience of any of us was allowed to interfere with the pleasure of the prosecution in that regard? You have had to be always there when wanted?



(55) Q. And were if you had ever failed or refused to respond promptly when you were so called, no matter how your own business or pleasure might be interfered with?

(57) A. Yes--yourself here on numerous occasions, have you not, had to perform various other services for the different members of the prosecution,--such as carrying messages or calls or volumes of testimony to other supervisors etc.?

(63) Q. And you know that other supervisors have had to do and have done the same things, didn't you?

(67) A. Now the next condition laid down by Spradwell at the Presidio before the deal was struck, that I wish to inquire about, is the kind of testimony you were all to make through him: Now, in the first place, in that respect, Spradwell told you in the course of your first conference that they had no vindictiveness against the supervisors, using that very word, didn't he?

(73) Q. As in the course of that same conference he told you that they had no vindictiveness against Huff or Roberts, using that very word, didn't he?

(77) A. He never told you in the course of those conferences that he had no vindictiveness against Gurnoun, or the United Brotherhood, did he?

(83) Q. He told you in the course of those conferences, did he not, "that the supervisors and those who were engaged with them in the outer circle of those who represented the organizations and his interests were not as important from his stand-point?"

(RECORDED AND INDEXED p. 1114, 1)





(73) Q. He told you that "his purpose was to understand or stop the unlawful dealing with corporations and large interests in this city with public officials", didn't he? (Answer: That's True 1134,8)

(74) Q. He had not heard from you yet whether those "dealings" were extensive as in the French Suez Canal case, a systematic paying over these various corporations to you and your associates had he?

(75) Q. Had he heard's yet heard from that or commits on the subject, had he?

(76) Q. He used the words "bribe" and "bribery" in those talks, didn't he?

(77) Q. And neither you nor that had yet told anything, and no one else on earth knew of what passed between you and that?

(78) Q. He told you, didn't he, that they wanted to reach the corporations and interests that were "fixing" the supervisors, or "corrupting" them, or words to that effect?

(79) Q. And still he had not been told by you, nor by that or commits, as far as you knew, nor word to the effect that you had been bribed or that anyone had voluntarily given up anything that he was not entangled out of, had he?

(80) Q. Did you not understand that "extortion" was what the prosecution called it where the French Suez Canal case was involved, and that that had been the times indicated for attention in those matters and not all the bribery?

(81) Q. Didn't you understand from what that that hypothesis talked that way that he was "bribeless" you as to the fact of evidence the prosecution demanded and ordered you people else through with



evidence that (a) would point to bribery and (b) would show that the public service corporations were not the innocent victims of extortion and hold-up,--the deal was off?

(82) Q. All these things that Spreckels said to you, you reported to the supervisors before the Gladstone statements were made?

(83) Q. You know that while Spreckels didn't ask you what kind of evidence the boys would give before he verbally and privately agreed to immunity, they saw to it that they gave you no written contract, and not even a verbal contract in the presence of a third party, until they sampled it at the Gladstone and saw it that it was the kind that Spreckels had hinted at at the Presidio? In other words, you all made your Gladstone statements before any written contract of immunity was signed?

(84) Q. In fact you only got your written contracts of immunity when you came to resign and only then because you refused to resign till you did get it in writing?

(85) Q. Add in the meantime they had tried out your testimony a second time, before the Grand Jury?

(86) Q. Since the execution of your written immunity contract you have learned that it has no legally binding force whatever, haven't you?

(87) Q. You know that in spite of their contracts Wilson and Coffey have been indicted for some of the crimes covered by their immunity agreements?

(88) Q. You know that Coffey was convicted in spite of his immunity contract?





(88) Q. You know that Judge Jones ruled in the Coffey case that those contracts are not binding on the prosecution and cannot be relied on by the defendants as a defense even if they lived up to their end of it?

(89) A. Consequently, you know and realize that you depend for your immunity, not upon any contract, but upon the will and favor and pleasure of the prosecution, don't you?

(90) Q. You know that if the prosecution believes it would prosecute you for any of these crimes they would not have to charge or prove that you had broken the agreement, but that they could just go ahead the same as if no agreement was ever entered into, don't you?

(91) A. You know therefore, don't you, that you and your liberty are absolutely at the mercy of the prosecution and that they have it absolutely in their power to put you in stripes any moment they please?

(92) Q. So you know that your liberty for the rest of your life is right here and now depending on how you testify?

(93) A. Have you any doubt at this moment but that if you turned to this jury and said, "My memory is now clear to the point that I never made any promise of any money to Nicholas in the trolley matter", the prosecution would turn on you as they have turned on Coffey and have you indicted and prosecuted?

(94) Q. And you realize that the same thing holds true on any other important issue of fact in this case?

(95) A. You know that Coffey went out just that way, don't you?

1841. The first of the year was a very dry one, and the  
season was generally unfavorable for the crops. The  
winter was very cold, and the spring was very dry.  
The summer was very hot, and the autumn was very  
dry. The crops were generally poor, and the  
livestock was very thin. The people were very  
poor, and the country was very desolate.  
The year was a very bad one for the people of  
this country. The crops were poor, and the  
livestock was thin. The people were poor, and  
the country was desolate. The year was a very  
bad one for the people of this country.

(97) Q. The prosecution are the sole judges of whether you break your immunity contract or not, aren't they? That is, if they say you have not told the truth, it makes no difference how honest you may be in your testimony, does it? The decision is the matter?

(98) A. Do you realize that the important thing for you here is not the truth but their understanding or belief or desire as to what your testimony should be?

(99) Q. Now, you value your liberty very highly, don't you?

(100) A. You would not take a hundred thousand dollars for the liberty of yours that these men hold in their hands?

(101) Q. And consequently you would not for \$100,000 lose their ill-will or displeasure?

(102) A. And consequently you would not for that amount of money have your testimony disappoint or offend them, would you?

(103) Q. Do such pressure or independent operators stand in favor of our side of this case, does it?

(104) A. Of course you wouldn't need an innocent man to kill or any debt to yourself, would you?

(105) A. But still you didn't scruple about testifying all of these associates of yours to commit crime that you knew meant the very same consequences to them as are involved here, did you?

(106) Q. You don't fear at all, do you, that if you should change your testimony they had changed it so as to hurt the defense, there is any danger of the prosecution deciding your immunity off?

(107) A. You know that Coffey's immunity was annulled just because he swore he wasn't spoken to in advance on the Kelley matter, don't you?





(108) Q. Now are you saying you not , that that particular matter is one that the prosecution regards as sufficient for decapitation?

(109) A. You know, don't you, that it is the theory of the prosecution in this particular case on trial that you told Nicholas in advance of his vote on trolley that there would be \$4000 in it for him?

(110) Q. And you know that they have to prove that precise fact or fail in this case?

(111) A. And you realize that if you swear today, even in an honest recollection, that you did not make that communication to Nicholas, the prosecution would do to you what they have done to Coffey, don't you?

(112) Q. By the way, at the time you met Spreckels at the Presidio and he told you that you and the other supervisors were not as important as the higher-ups, or words to that effect, you yourself had held the high office of City Attorney and had been a candidate for Judge of the Court of Appeal, and had been Grand President of the Native Sons, had you not?

(113) A. Did Spreckels say why that was not high enough to suit his plans?

(114) Q. By the way, didn't Spreckels give you ten thousand dollars at the Presidio for delivering the board of supervisors and the city government and certain of his enemies to him?

(115) A. It is the fact, is it not, that a number of your associates, accused you of that in the course of your talks over this



proposition?

(116) Q. You know, don't you, that several of the supervisors had gotten money from Spreckels for their so-called confessions?

(117) A. Don't you know that two of them were charged with a counterfeit trapping in which they were awarded money that Spreckels put up and that they have been allowed to retain that money?

(118) Q. By the way, didn't Spreckels take you into his confidence that day at the Presidio and tell you that he had incorporated a rival street railway corporation the day before the earthquake and that the man he was after was Patrick Sullivan?















Denominations of Bills

Gallagher

on

Denominations of Bills Received by Him  
From Ruef in Trolley Matter









DENOMINATIONS OF BILLS.

Gallagher

On

Denominations of Bills Received by Him From  
Ruef in Trolley Matter.

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## DENOMINATIONS OF BILLS.

Gallagher on Denominations of Bills Received

by Him From Ruef in Trolley Matter.

### --- I. GLADSTONE. -----

- 1st Half: A number of small and some large bills;  
As small as \$5 and I think in some instances \$1 and \$2;  
The large ones were running about \$100 and quite a number.  
(Gladstone 18b and 18c).
- 2nd Half: Mostly large i. e. \$100; some \$500 but very few; good  
many \$100 and \$50. (Gladstone 18a).

-----

### --- II. GRAND JURY. ----

- 1st Half: Generally small i. e. \$1, \$2, \$5, \$10, \$20; perhaps a  
few \$50 and \$100, but very few; (Grand Jury 71).
- 2nd Half: Generally small i. e. \$1, \$2, \$5, \$10, \$20; perhaps a  
few \$50 and \$100, but very few; (Grand Jury 71).  
(N. B. Uncertain if witness meant this for first pay-  
ment only, or for both payments.

-----

### --- III. FIRST FORD TRIAL (817). -----

- 1st Half: Small i. e. \$1, \$2, \$5, \$10, \$20; quite a number of \$1  
and \$2; probably one-tenth in \$1 and \$2; - (1st Ford 260);  
Small bills - - - - - (1st Ford 309).
- 2nd Half: Large; \$50 to \$500; principally \$50 bills, \$100 bills  
and \$500 bills. (1st Ford 262, 3).

-----

### --- IV. SECOND FORD TRIAL (823). ---

- 1st Half: Principally small, - \$1, \$2, \$5, \$10, \$20; possibly a  
few as large as \$50 but not sure; (2nd Ford Trial 234-6).
- 2nd Half: Large; most in \$50 and \$100; possibly a couple of \$500;  
but larger portion in \$100; (2nd Ford Trial 240, 1).

DECLARATION OF INDEPENDENCE

When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We the Representatives of the United States of America, in General Congress assembled, do hereby declare that these United States are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connection with them is hereby and forever dissolved.

That the Declaration of Independence of the United States of America, in General Congress assembled, do hereby declare that these United States are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connection with them is hereby and forever dissolved.

That the Declaration of Independence of the United States of America, in General Congress assembled, do hereby declare that these United States are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connection with them is hereby and forever dissolved.

That the Declaration of Independence of the United States of America, in General Congress assembled, do hereby declare that these United States are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connection with them is hereby and forever dissolved.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this fourth day of July, 1776.

JOHN ADAMS, President of the Continental Congress.

THOMAS JEFFERSON, Secretary of the Continental Congress.

JOHN ADAMS, President of the Continental Congress.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this fourth day of July, 1776.

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THOMAS JEFFERSON, Secretary of the Continental Congress.

JOHN ADAMS, President of the Continental Congress.



----- V. THIRD FORD TRIAL (813). -----

1st Half: Small; \$1, \$2, \$5, \$10, \$20; may have been few \$50 but very few; great bulk of it smaller denominations. (3rd Ford Trial 164,5).  
\$1, \$2, \$5, \$10, \$20; maybe a few of some other denoms but not enough to amount to anything; those were the principals; mixed bills. (3rd Ford Trial 241,2).

2nd Half: Large; \$50 and \$100; may have been some others, but almost entirely \$50 and \$100; the \$100 predominated. (3rd Ford Trial 163).  
Large; \$50 and \$100,- mostly \$100; may have been a larger denom. but I don't remem. it. (3rd Ford Trial 243).

-----VI. FIRST RUEF TRIAL (840). -----

No testimony on trolley payments.

----- VII. CROTHERS-OLDER LIBEL (1358). -----

No testimony on Trolley Payments.

----- VIII. RUEF PREL. EXAM. -----

1st Half: 1st paymt on 1st half, various denoms, running from \$1 to \$20, maybe a few larger, but majority very small i. e. \$1, \$2, \$5, \$10, \$20; (Ruef Prel. Friday July 10, 08, p. 36-9).  
1st payt on 1st half, small, \$1, \$2, \$5, \$10, \$20, possibly a few higher;  
\$10000 or \$12000 in one dollar bills;  
Not \$3000 or \$4000 in \$2 bills; cant say if \$2000; probably \$1000;  
Not as many \$2 bills as \$1 bills;  
Quite a number of \$5, probably \$3000;  
Remainder \$10 and \$20; larger number of \$10 than \$20;  
\$3 bills or \$10 bills make larger amount than \$20 bills;  
\$10000 to \$12000 in \$1 bills, perhaps a little more;  
\$2000 about in \$2 bills;  
\$2000 " " \$5 " ;  
\$2000 " " \$10 and \$20 bills, with \$10 predom.  
(Ruef Prel. Exam. Thurs. July 23, 08, p. 57-61).  
2nd payment on 1st half, small, including \$1, \$2, \$5, \$10, \$20, perhaps a few larger, but very few, if any;  
I am not pos. about that.  
(Ruef Prel. Exam. Friday, July 10, 08, p. 44).

— 176 —

1522 2015

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

2nd payment on 1st half, small; \$5000 of \$1; \$1000 of \$2; \$3000 or \$10000 in \$3; rest in \$10 and \$20; maybe a few \$50 but not very many; not so many dollar bills in proportion; cant say if tens predom. over twenties.

(Ruef Prel. Exam. Thurs. July 23, 08, p. 77-84).

2nd Half: Large, mostly \$100, some \$50;

(Ruef Prel. Exam. Friday July 10, 08, p. 47, 8).

Mostly large; \$10 and \$100; more \$100 than \$50 bills; more than \$25000 in \$100 bills;

(Ruef Prel. Exam. Thurs. July 23, 08, p. 84-8).

Large; preponderance of \$100 bills and some \$50; don't remember of any smaller than \$50;

(Ruef Prel. Exam. Friday July 24, 08, p. 33).

-----

--- IX. COFFEY TRIAL (1080). ---

1st Half: Small, - \$1 to about \$20; \$1 to \$5, \$10 and \$20;

(Coffey Trial, Feb. 9, 09, 64).

(I paid Coffey his 1st \$2000 in small denoms. from \$1 up to \$20; (Coffey Trial, Feb. 9, 09, p. 13, 14).

(1st payment to Coffey was) small bills, - \$1, \$2, \$5, \$10, and perhaps a few \$20 bills but not many.

(Coffey Trial, Feb. 9, 09, 64).

2nd Half: Large; mostly larger; i. e. a few \$20, and great bulk was \$50 and \$100; mostly \$100;

(Coffey Trial, Feb. 9, 1909, p.15-1)

-----

---- X. SECOND RUEF TRIAL (1437). ----

1st Half: 1st payment on 1st half: \$1, \$2, \$5, \$10, \$20;

" " " " " : \$1, \$2, \$5, \$10, possibly a

few \$20; I don't remember of any \$50 but may have been 2 or 3; cant say how many \$1 but large quantity, probably one half was \$1; about 3 or 10 thousand dollars or may be few more in \$1;

Not so many \$2; probably less than a thousand and more than 300 of \$2;

Probably one thousand \$5;

Balance made up of \$3 and \$10 bills; about 500 of \$10 bill \$10 bills predom. over \$20; may have been 100 of the \$20 bills; (2nd Ruef Trial 1499-1501).

Larger number of \$10 than \$20; (2nd Ruef Trial 1523).

2nd payment on first half; \$1, \$2, \$5, \$10, \$20; about same size package as first payment; (2nd Ruef Trial 701,2).

THE SECRETARY OF THE ARMY  
WASHINGTON, D. C.  
JANUARY 10, 1917  
SIR:  
I have the honor to acknowledge the receipt of your letter of the 9th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

Very respectfully,  
Your obedient servant,  
JOHN D. LONG  
Secretary of the Army

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2nd payment on first half; \$1, \$2, \$5, \$10, \$20, and a few \$50 I think, but not many; maybe a few \$100; imagine more than 5 of \$50; probably may have been 30 or 40 of \$50 or don't imagine more than 20; probably 2000 or 5000 or maybe 4000 or maybe 5 or 6 thousand of \$1, not less than 2000; \$2 few; probably a hundred of them; probably \$5000 or more in \$5 bills; balance made up of \$1 and \$10 bills and others; probably an equal number of tens and twenties; (2nd Half Trial 1806-1808).

2nd payment on first half, outside figures: about five thousand ones;  
about one hundred twos;  
about one thousand fives;  
balance equally \$10 and \$20.

(2nd Half Trial 1808, 9).

2nd Half: Mostly \$50 and \$100,- almost all; no \$1 or \$2; no very small bills; no bills that I remember less than \$10 or \$20. (2nd Half Trial 710, 711).

Larger Denoms. say \$100 and \$50; more \$100 than \$50 bills; may have been some smaller but not many. (2nd Half Trial 1665).

No \$1 bills in last payment;  
I am not clear as to whether there were twos, fives, tens or twenties in last payment;  
May have been some \$50 bills, but not many;  
(2nd Half Trial 1873-1874).













The People of the State of California

vs.

Abraham Ruef

Defendant

Number 1437

---

Testimony of Andrew M. Wilson

On the Trolley Franchise









THE PEOPLE OF THE STATE OF CALIFORNIA

vs.

ARMANDO BROS,

Defendant.

Number 1437.

---

TESTIMONY OF ARTHUR H. WILSON

- on the -

ARMANDO BROS.





SYNOPSIS & INDEX.

12

AMERICAN BOOK CONCERN.

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SYNOPSIS & INDEX

Page Hereof

- (1) 1st Conversation with  
Callagher; Early in May, side of Nowry's  
Hall. "Kuef negotiating;  
Sound Board." No mention  
of money. - - - - - 1.
- (2) Sounded most of members - - - - - 1.
- (3) 2nd Conversation with  
Callagher; Few days after 1st conversa-  
tion Report boys favorable. - - 1.
- (4) 3rd Conversation with  
Callagher; Nowry's Hall. Day passed to  
Print. "Purvey says \$4,000-  
"Yes - Kuef will allow that.  
Your amount fixed later -  
around 10 or 12 thousand." - - 2.
- (5) 1st Conversation with Kuef; Week prior to passage to  
Print, Nowry's Hall; "Attys  
for U.S.A. sent in application,  
included number franchises; re-  
turned; come thru two sections,  
same on each - Callagher tell  
what be when arranged." - - - 3.
- (6) 2nd Conversation with  
Kuef; Nowry's Hall, day passed to  
print; "Going thru; present;  
make strong talk; expect ordi-  
nance at office when return-  
ed, had sent back to attys  
for U.S.A. for changes." - - - 3.
- (7) Ordinance brot to rooms of Board late. I did not see it. 4.
- (8) Kuef not present when passed print. - - - - - 4.
- (9) I received \$10,000. - - - - - 4.
- (10) First Payment; Aug. 1 - \$5,000. ruins; small  
bills, one, two and five; some  
\$20, few; small predominated.  
Old bills. Callagher said pay-  
ment on trolley and \$5,000  
more. Put in safe deposit  
box. Denominations too small  
to pay note with; - - - - - 4, 5, 6.

# UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1

UNIT 1



- Aug. 28 - 30th, 1900. Thompson's; Gallagher said that was the amount allotted to me; large bills; all 50 or all 100 - gold certificates; Aug. 30 deposited \$1000. in Cal. Safe Dep. - - - - - 6,7.
- (11) Second Payment:
- (12) When Furey said Gallagher said four thousand and asked me if correct, I said I had not got definite information yet from G. but I would let him know if right and I did this afternoon May 14, 06. Hour later I had to talk with Gallagher and reported back to Furey. - - 7,8.
- Testified only in a general way before that some of the board, not mentioning them came to me that afternoon; but not gone into fully. Always testified to talking to Furey and Mamlock. Question never called for more. Can't recall how long remembered or if ever forgot this talk with Furey. - - - - - 8,9.
- (13) Gladstone interview lasted 15 or 20 minutes. I simply answered Wency's questions there. He said he did not want political matters, only facts.- 9.
- (14) Next met Wency after Gladstone at his office on First Class Case for 5 minutes. Did not go over facts. Went for 5 minutes on 1st Ford Trial. I testified in 1st Ford Trial. Went before Grand Jury on Monday after Saturday of Gladstone. One-half day on stand in Glass case, 2 hours in First Ford, one day in Third Ford, and 2 days in Parkside. Appeared but not testify in Police Court. - - - - - 10.
- (16) Can't recall if ever before asked about talks with Ruef about money in trolley matter or about handling supervisors. Ruef talk developed when supervisor told me about telling him coming in two sections. In all cases only answered what asked. If had been asked would have answered. I didn't recall these matters. Have recalled some matters since Saturday. Since I again testified have been considering the matter. Am not trying to curry favor by hurting Ruef. - - - - - 10,11.
- (17) G. told me in first conv. U.S.A. Attys had made appen & Ruef negotiating with them on what would come through. That at Gantner's place when he & Ruef came up in auto & G told me sound board. Can't say if on that day. It was first time trolley disc used. My previous testimony meant amount not fixed till

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Subject: [redacted] b6  
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1. The above facts are based on the information received from the informant who has been reliable in the past.

May 14. Cant say if from very beginning G said Ruef negotiating on amount to come through. If not at first conversation, at another time. Could not state. But long before it went thru.- 12,14.

(18) I did not then say anything about money to others, just sounded and reported favorable. I did not suppress that something coming through. When Ruef said come in two sections, I told them and when G. told them \$4000. they told him I said two sections & \$8000. - - - - - 14.

(19) Think I told Furey & Mamlock coming thru in two sections. Don't know if told others. May have. Did not talk to all. It is my recollection I talked to Furey & Mamlock. Cannot recall whether I talked to Nicholas. - - - - - 14,15.

(20) Before vote think G. & I had talk on money in it. - - - 16.

(21) Before Gallagher spoke to me about it I think it was understood among Board something came thru. - - - - - 16.

(22) When I mentioned trolley matter to the boys I did not say anything came thru and I don't recall that any of them spoke to me about it. I told to sound how felt & I did & they seemed favorable, no money mentioned. - - - - - 16,17.

(23) Ruef told me he negotiating for money in trolley & G. would let me know how much, this when he said he had eliminated the franchise. - - - - 17.

(24) Glass case & testimony says "We did not know where the money came from - we did not know from what source G. got the money" - but it should read Ruef, and I said "Ruef" and not "G". It is a clerical error. I appeal to the context. I may have said G. but I meant Ruef. - - - - - 17,20.

(25) I testified at Gladstone: "Both payments were in small bills, about a month apart. Second might have been in September; first payment in first part of August in City Hall. Second in latter part of August at Mowry's Hall." But that simply from memory. The note I recalled & it fixed the date. Second payment at Thompson's. I see the discrepancy in date of bills & place but I made hurried statement





at Gladstone & he did not go into details &  
said did not want details. - - - - - 20,21.

(26) Don't recall that anyone drew my attention to  
preparation for electric service after fire.  
It was the permanent connection at Addy &  
Market I took notice of, not the electric  
matter. You could not misjudge the motive  
power, they were putting in concrete founda-  
tions. I approved of uniform system. - - - - - 22,23.

(27) At Gladstone I testified: "Mayor granted temporary  
permits and they were putting in permanent con-  
struction & I called G's attention to it down  
town one day & I said not right & we'd be en-  
joined. He said would see about it & after  
that G. told me it would be all right, that  
there would be something doing." - - - - - 23.

(28) Second payment in gold certificates, all either  
\$50. or \$100. Think all \$100. I have none  
now; I banked them. - - - - - 23,24.

(29) At Grand Jury, I probably did, but don't recall  
this: "Q. Now, then did you talk with Ruef  
about the trolley at all? A. No, never had  
any conversation with Mr. Ruef on these matters."  
My mind then might have been on the amounts.  
I did not discuss the amounts with Ruef. - - - - - 24,25.

(29) At Grand Jury, I testified as follows: "Did  
Mr. G. tell you about this payment, or who  
did tell you? A. I think Supervisor E.  
told that. Q. Did Ruef ever talk to you  
about it (referring to Parkside)? A. Never  
had a conversation with Ruef on any money  
matters at all. Q. Excepting Malsey?  
A. Yes sir", -- My recollection is it was  
for the supervisors, money matters for the  
board. - - - - - 25.

(30) At Grand Jury I testified as follows: "Gallagher  
had me tell other members as to how much was  
coming through for the trolley. There were  
some members he asked me to talk to in the  
matter and I did. They were Lurey & Harlock.  
Q. On any of the other matters do you remember  
whether you talked to them for H? A. They  
came to me & asked me if this was right, & I  
would tell them yes. By right they meant  
something coming through out of it". - - - - - 26.

to be made in the year 1911 and 1912

to be made in the year 1911 and 1912

to be made in the year 1911 and 1912

to be made in the year 1911 and 1912

to be made in the year 1911 and 1912

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to be made in the year 1911 and 1912

- (28) Before Grand Jury I testified as follows: "When G gave me first payment he said 'There is an envelope for you, Andy', I understood where it came from. Second payt at Thompsons, & I banked it in two or three banks. Have acct. in 3 banks. Think deposited \$2500. in C. S. D. & T. Co. to pay note endorsed by Ruef". - - - - - 27.
- (29) Before Grand Jury I testified highest bills in first payt about \$20. & that might have been \$50. and not many bills large. - - - - - 28.
- (30) Before Grand Jury I testified as follows: "G. told me before vote money to be paid and \$10000. for me. Later he gave me it in 2 payments of five thousand dollars each. The first was all small bills, very small, as low as ones & twos, large package - 4 or 5 inches; highest \$20. Might have been fiftys, not many larger ones". - - - - - 28.
- (31) Before Grand Jury I testified: "G. Now, then did you talk with Ruef about the trolley matter? A. No, never had any convers. with Ruef on those matters". - - - - - 29.
- (32) Full Grand Jury testimony of Wilson put in by Sullivan. It is as follows:  
 "Heard before vote money to be paid, G. told me. Said ten thousand for me & four thousand for others. Later G. paid me ten thousand in two payments of five each. The first was in small bills. One payment was very small bills & other was very large. The first was very small, as low as one & two; the whole package 4 or 5 inches; highest about \$20; may have been fiftys, not many; not many large ones. That first payment about 4 mos. after fire. Vote early in May. First payt. in Aug. & second 3 or 4 weeks later & second was large bills, \$100. bills. None larger. I banked that. When gave first payt. said 'There is an envelope for you, Andy' & I put it in my pocket. I understand where it came from. Second payt. at Thompsons. Think banked second in 2 or 3 banks. Had acct. in Western Natl. C.S.D. & T. Co. & Wells Fargo. Deposited \$2500. of that in





C. S. D. & T. Co. & paid a note endorsed  
by "Self". - - - - - \$0.71.

(55) In Glass case I testified as follows:

I paid me ten thousand on trolley. Q. He had told you there would be ten thousand dollars coming to you in that matter if you voted that way, did he not? A. I don't think there was a definite understanding. I did testify before Grand Jury that I heard before vote was to be money paid & that G told me ten for me; and that testimony before Grand Jury was true except that it was to be not less than ten, it might have been more, it depended; there was a certain amt. to come to the board, & there would be a certain amount given to G, & a certain amount to myself & it would be ten thousand or more'. All that is true. I never definitely understood what the certain amount was that was to come to the board, G told me that and he had not found out yet. I never knew what G got till he testified & I never knew all the supervisors that rec'd money. The amount I was to receive & G was to receive was to be arranged by Ruef. Ruef told me he would arrange it and that G would let me know. It was not Ruef that told me there was going to be a certain amount, I don't think so. I did not arrange with A the money for the board. E. told me how the amount he & I were to get was to be determined. It is not the fact that G. & I talked of the total amount to come & that he talked to some & I to some to see how cheap we could get them & that he & I were to cut up the rest. The amount that was to come to the board was arranged between G & A. Ruef told me G would let me know the sum determined on in the trolley and that it was coming through in 2 sections and that was before G mentioned money to me.

-31,35

(54) First Ford Trial I testified:

"There never was any discussion with A in any form or manner with me as to money considerations that was to go to the board of Supervisors". That is true, the amount the board was to receive & how to be distributed; I never had any talk with A as to those amounts. - - - - - 35



(35)

At First Ford Trial I did testify:

"Would like explain my relationship with G. Pavers said I his handiman & lieutenant. After Home Tel. franchise granted, dissatisfaction on board & inclined take other leadership & I counselled loyalty, and at lunch one Ray Pury & Hamlock said would like get other information from R than G to confirm what he gave. I told R of this dissatisfaction & desire & he said he did not want to discuss policy with anyone but G. but I could talk with G & let board think I got it from R and I told Pury & Hamlock that any information I gave would be all right & there was a general feeling on the board that I was getting my information from Pury, which was not so as I was getting it from G & would tell them it was from R & I would tell them whatever G says is all right. Never any understanding I to hold any other position than keep board loyal. And there was never any discussion with Pury in any form or manner with me as to money considerations that was to go to the Board of S. And when G talked to me on this matter he asked me to sound board as he very busy. I went around & sounded & those I spoke to were favorable & I advocated it & I reported to G. At that time I never mentioned any money to any supervisor. Nor was my position to tell any supervisor of what amt. was coming through or anything". That is right,- I never discussed with R the amounts the board was to receive or its distribution. - - - - - - - - - -35,36.

(36)

First Ford Trial, I testified:

"Never had anything to do with preparation of trolley ordinance. Never saw it. Did not introduce it to my recollection. Dont remember anyone asked me to." - - - - - - - - - -36,37.

(37)

First Ford Trial I testified:

"After first talk with G. I reported to him result of my interviews. In that conversation nothing said about money. Great deal of uncertainty as to amount. It was that 3 or 4 thousand. I not definite as to my amount, and not definite to anybody what he to get at that time. After that talk with G. some came

1944-1945: 1944-1945

[illegible]

September 2, 1947 1947 1947 1947

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

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to me at board and said 'Is this right, there  
is eight thousand in it?' & I said 'Whatever  
Mr. G. told you'. Some thought 4. No further  
talk with G before came to print first time  
further than I knew something coming through,  
but not how much. Went to correct my testimony  
as only last night I remembered full partic-  
ulars; I told Helms I didn't know there  
was ten thousand coming through, and I didn't  
know what the amount was, and he read my Grand  
Jury testimony and I said yes, I know there  
was ten thousand; but fact is, long after  
trolley passed G drove around to Med's  
office and said he was going to see how that  
trolley money was going to be divided and what  
I was going to receive, and when we got back  
into the buggy and were out at the depot near  
Valencia & Guerrero he told me there would be  
18000 in it, and I told him he could have 2  
of it, and he said no; and he said there was  
same money over there and I would get 12  
thousand dollars. This was some time previous  
to distribution of money. He said when they  
were figuring that there would be about that  
in it for me when it came through, they said  
it didn't turn out that way, that there was  
10 thousand dollars. When it went through no  
specific sum mentioned for me. He did not say.  
No definite understanding." There was never  
any definite amount.

- - - - -

(38) Not true. Gallagher said after passed print  
that moneys had not been divided and he could  
not tell how much I would get. - - - - - 41.

(39) I was operated on the day before. - - - - - 41.

(40) First payment old City Hall; don't recall that G. told me on way out he had it in his pocket. Can't recall if we went to ruins to pass the money; we were seeing if ruins could be restored; might have told me when I got into buggy. I put it into my pocket; very thick envelope, three or 4 inches. I put it in safe deposit box. - - - - - 41.42



(41) First payment were ones and twos, fives and tens, very small old bills; don't recall anything over ten; may be, but don't think some twenties; possibly a thousand, but think more than five hundred one dollar bills; possibly couple of thousand dollars in two dollar bills; balance divided fives and tens or twenties; sure they were small bills because intended to pay note endorsed by Luef, but currency too small and old and so put in box; used in different matters; don't recall what did with one and two dollar bills; there were some money transactions between supervisors. Mamlock borrowed from Furey and I borrowed from Kelley & Furey. Possibly I used some of these. Can't say whether I borrowed from Mamlock. He borrowed from me; don't know if I paid Furey or Mamlock any of these one or two dollar bills; gradually used some in my business; have no more; don't think deposited. - - - - -42,43.

(42) First Ford Trial, I testified:  
"Two payments; first latter part July; first I think in small bills, fives, tens, twenties, probably some smaller; there were ones and twos, but don't know how many; envelope couple of inches thick; package not as large as twenty inches, but very large envelope. Reason I did not testify there more definitely about ones and twos was not paying attention that day to what I was testifying. I telephoned Honey that night to put me back on stand; that I did not know what I was testifying. - - - - -43,44.

(43) First Ford testimony caused by carbuncles; testimony proves I talked to Furey and Mamlock while later on denied it. I admitted it is in the testimony that I did not talk to anybody about money. - - - - -44,45.

(44) Ach reads from First Ford trial in dispute as to witness former testimony:  
"Never any discussion with R. in any form or manner with me as to money considerations to go to the Board. I went around and the





once I spoke to Faverable. I advocated it to them. Subsequently reported to G. that all I spoke to Faverable and there seemed to be no opposition. At that time I never mentioned any money nor was it my position. Then I reported to G. nothing said about money. I talked with G. and at Board one day they were all discussing the trolley and some said to me 'Is this right, there is 8,000 dollars in this' and I said 'Whatever Callagher told you,' and some seemed to think 4 thousand dollars in it. No further talk with G. before matter came up for passage to print on May 14th further than that I knew there would be something coming through, but didn't know then how much. I don't remember going to Lomergan and telling him he was going to get 4 thousand dollars for it and to vote for it. I can't recall. Don't recall that I talked about money in regard to the trolley with some of the members. General rumor around 8 thousand dollars or 4 thousand dollars for it. I heard that rumor from some of the Board."

My statement at that time does say I stated I talked to Furey and Lamlock. - - - - - -47,47.

(45) Don't know why I got 10 as against others 4; nothing said by G. as to why. - - - - - 47.

(46) Not called in second Ford trial. Under indictment then. - - - - - 47.

(47) Third Ford trial I testified:

"First learned definitely what I to receive in talk with G. at 25th and Valencia when he told me he thought 12 thousand and that there was some odd money to cut up. Don't recall date. Long after introduction of ordinance and passage."

That true, some odd money to be cut up, some other political matters to be attended to and amounts after that to be divided. Don't know what became of that odd money. - - - - - -47,48.



- (48) Refreshing my memory, I did go to Sawback and  
Sury and tell them afterwards that the  
amount G. told them was right and may be  
Donergan. - - - - - 48
- (49) I was not handy man of E. nor had I paid word  
around for him; I looked upon it as favor  
for Muef. - - - - - 48.
- (50) Condition of passing word that there was money  
in these things and to vote for it develop-  
ed at trolley but never before; commencing  
in February when I went to see Muef, that  
developed it and nothing came up after that  
time only the trolley; if there had been  
it was understood I would and when trolley  
came up I did. - - - - - 49.
- (51) At third Ford trial I testified:
- "First conversation about May 1st at Grove  
and Laguna, G. came in automobile and asked  
me talk with members and see how they felt, that  
E. had asked him find out from members how they  
stood; I told him I would, and I talked to a  
member and reported following day all right;  
he said he would let Muef know; up to this  
no talk about money; the talk with E. about  
money was on day ordinance passed to print,  
some members told me 4 thousand and some  
6 thousand and I saw G. later and he told me  
4 to the members, but I to get more some  
old money and he did not know exact amount  
I would get, but it was 10 or 12 thousand,  
not definite. Few days before May 14 and  
prior to passage to print had a talk with E.  
as to my action upon introduction of the  
ordinance. - - - - - 49,50.
- (52) Did talk to members before reporting back to  
G. It took 13 to pass and I talked to more  
than enough. I felt the general sentiment;  
no dissenting voice. - - - - - 50.
- (53) Third Ford trial I testified:
- "I testified here that I thought I was indicted  
before I told Money and testified all  
along that I had spoken to the members  
about money, which is the truth, but when





the matter was first spoken of there was no mention of any money and that is what I meant to state in the first Ford trial."

When I said I had not talked to members on money matters I meant when I first talked. - - 51, 51.

(54) Third Ford trial I testified:

"Q. When the mention of money came up I understand it related to a talk among members that you say you heard in which some said 6 and some said 4 and there was uncertainty and they appealed to you and you said 'Whatever G. says, I don't know anything about it'. A. 'Well with Hurey and Harlock I always discussed the money matters on the Board more than with any one else. I think I talked money matters on all these propositions.'"

"In all these matters after the Oyster Leaf talk, after the trolley matter, after the telephone matter, I always discussed with Hurey and Harlock. - - - - - 51.

(55) Third Ford trial I testified:

"Q. Between talk with G. near Gantners up to talk among members in Board room had there been any mention by you to members of money in this matter? A. The particular sum? Q. Any mention of money? A. Oh there was general understanding that there would be money coming through."

There was talk that there would be something, but that was among the ones I talked to and I did not talk to all. - - - - - 51, 51a.

(56) Third Ford trial I testified:

"When I first talked with them no amount, but on 14th, the day it passed, exact amount was settled. Negotiations had been completed as to amount for each member." - - - - - 51a.

(57) Third Ford trial I testified:

"Prior to May 14th there was a general understanding something in it, but exact amount never settled until day passed to print, and there was no conversation other than general understanding that there would be something coming through." - - - - - 51a.

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the first of the two cases and is obtained  
by the method of the second case.

- (58) on May 14 amount definitely settled. - - - - - 51-b.
- (59) First Ford trial I testified:  
 "Never saw ordinance. Did not introduce it  
 to my recollection. Don't remember anybody  
 asking me to introduce it"  
 but that was not correct. - - - - - 51-b.
- (60) Invited to dine at car barn and west. sat  
 there Calhoun, Barton, Huff, Gallagher and  
 Mr. Eastern Union. May be two luncheons, but  
 think only one. In a private car. Not many  
 eating in car but probably in barn. Did say  
 in Grand Jury two or three luncheons. - - - - - 52.
- (61) Did not let boys know I to get 10 thou. when  
 they told me it was only 4 because that was  
 between R. and D. - - - - - 52.
- (62) Circulated petition in favor of trolley and al-  
 ways favored it and would have voted for it  
 unless and? Forbade. - - - - - 52,53.
- (63) In snow ball fighting in Chicago and I was a  
 captive. I fought fairly until others did  
 not. I answered Henry's questions truthfully  
 but never volunteered. I was neutral.  
 They never asked me to commit perjury. - - - - - 53.
- (64) Answering your question as to whether I have volun-  
 teered a lot of new matter, I refreshed my  
 memory by instances, and have been going over  
 the matter for weeks. - - - - - 53,54.
- (65) I told Lawyer Richardson my situation in a gener-  
 al way. I don't know that I went over the  
 details. He told me he could not get a line. 54,55.
- (66) In Lakeside I testified:  
 "I told Richardson the details and everything  
 I knew, and he said he would see if he could  
 get them to succeed judgment." - - - - - 55,56.

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- (67) First Ford trial I testified  
 "My attorney went over the full facts and said they had no intention of breaking their agreement if I told the full truth, and to give him a statement of all facts and he would give it to Cobb. I believe when the time comes if I tell the truth they will take that into consideration." - - - - - 56.
- (68) Before insisted that Ray told Burns my condition and that I knew my testimony not correct.- - - 56,57.
- (69) Wolf Chronicle reporter I explained to Burns.- - - 56.
- (70) Never gave Walsh any money or made him offer nor gave money to Lanerger. Never swore I did not make Lanerger offer but said I could not remember. Never gave any supervisor any money; never made Barton any offer. Don't recollect I ever made Lanerger an offer but may have; have sworn I never promised Lanerger any money. Always discussed money with Furey and Mamlock; not exactly make them offers in these matters but corroborated G., not in trolley, telephone, gas and prize fight; in those first matters no understanding that I to discuss with Board. It developed later. In these matters I did not make promise of money; not in prize fight nor in gas. - - - - 56,59.
- (71) Never mentioned any money matters with Luef, enough that it was his program. If he arranged money matters it was satisfactory.- - - 59.
- (72) Would have obeyed Luef without money and no bribery necessary. - - - - - 59.
- (73) Pretty intimate with Luef and both talked freely; went to him and talked when necessary; reticent at first but not later; before the fire I held back a little. Never any rupture. Frequently dined together.- - - - 59,60.



(74) At caucus on telephone Huef or Mayer said Board at dividing of ways and time to stand by administration. - - - - - 60.

(75) Talk with Furey and Lamlock at Cyster Leaf not entirely outspoken. Already had my money from Halsey and they knew it then, but don't know if they told me what they had gotten and don't think we went into details about the other members. As I understood it when they then talked to me they represented other factions, or had been talking with others. - - - - - 61.

(76) After Cyster Leaf talk I told Huef some of the Board asked me see him and that there was dissatisfaction regarding money matters. - - - - - 62.

(77) In the Parkside case I testified:  
"I had talk with Huef at request of members on money. Furey and Lamlock took me to lunch and told me dissatisfaction in telephone matter and that the Board had asked them to ask me to talk with Huef. They did not understand why Pacific States paying 75 hundred and 10 thousand and they only is get 35 hundred on the same."  
That in true in this way, that it is my impression they represented others. The answer is wrong where it says "They said the Board had asked them to speak to me." I meant some of the Board they were representing. Don't think they need them. They explained that dissatisfaction in the telephone matter. - - - - - 62, 63.

(78) In Parkside matter I testified:  
"I went to Huef after talking with Lamlock and Furey. A. Before that time had you, Lamlock, Furey, Williams, Coleman or any of the supervisors talked about any of these money matters to Huef? B. Yes, I think so. C. All of them? D. About all of them. E. You testify that Lamlock and Lamlock and Furey and Williams and Coleman and Kelley and Sanderson and Coffey and yourself talked about these money matters? F. No sir. G. Who did I leave out? A. Don't think any general

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(17)

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talk at that time among the Board. Sanderson first talked to me openly that way and it was this telephone matter that brought the whole matter in the Board, and then Jurey and Larlock was representing others and they talked too. I don't remember which one of them. Some of them talked to Coffey and Loneragan and then they talked with Phillips and Nicholas and the others. They so told me, then they told me to see Ruef. I talked with Jurey and Larlock generally about all money matters, including prime first, backside, gas, telephone and everything else, and about what was coming through and what was to be done etc. And you distributed the news as to what was coming through to the supervisors, or some of them, and then they told it to other supervisors I suppose? A. Yes."- 63 to 65.

(79) Nominated by Union Labor Party through Keadle. Between election and induction met colleagues; caucus of entire Board week after election, and Ruef, Keadle and Larlock there. Between election and induction three or four caucuses; Larlock presided at all when present. Ruef attended each caucus. Committees appointed at first caucus. I was not consulted and don't know if the others were. I was chairman of Charter Amendments, and Pharves & Larlock front; and a member of Hospital & Health Committee and the Judiciary; when committee names first read off at caucus there was discussion; Barton wanted Chairmanship of Public Utilities instead of Larock and got it; decided at first caucus to caucus every Monday night to discuss matters to come up on Monday. Ruef present at all caucuses.- - - - - 66, 67.

(82) Before my induction don't recall anybody connected with Ruef told me there would be money in it or asked me to stand in and cut up. I don't recollect that Gallagher did so. I don't know that G. told me before induction that he to be leader or Ruef's representative, or that there would be deals, or that he would treat me fairly; generally conceded G. would be leader. I told G. Ruef's talk about grafting on municipalities, and he said "Why, this is from Ruef." - - - - - 67, 68.



- (81) Before induction dined once or twice with  
Malsey. Introduced to Krauss by Smalley  
and by him to Malsey. Before induction  
Krauss I think said for me to get on Public  
Utilities Committee. - - - - - 68.
- (82) I told Huef about offer of free telephone and  
that I did not want to put myself under obli-  
gations to corporations and he said that  
was right, no petty grafting. I asked to  
see like me to see no petty grafting, or  
graft on municipalities. I informed supplies.  
I told him glad to know honest administration.  
Am not sure he said municipality. That was  
shortly after election. This talk with  
Huef was when I first met him and I don't  
think I ever met H. to talk with him about  
any matters before this meeting with Huef. - - - - - 69.
- (83) Am sure that before this talk with Huef H. did  
not tell me that he to represent Huef and  
Squels and fair treatment and stand in, and  
that I said all right, and do not recollect  
even a thing between election and induction  
and if that talk with H. took place I did not  
report it to Huef. - - - - - 69, 70.
- (84) Am not sure but think Huef used the word "petty". - - 70.
- (85) Never met Huef before petty grafting conversa-  
tion but had met Gallagher. - - - - - 70.
- (86) Met Judge Conlon in Huef's auto-rum and Con  
introduced me to Huef and that was when I first  
met him and that was when we talked about the  
free telephone and the petty grafting and  
Huef then told me if he caught anybody graft-  
ing he would prosecute them. I omitted this  
last before because I forget it, but I told  
it to Sullivan, Wyer and the others the  
other day. - - - - - 70, 71.
- (87) I did not tell Huef of \$ hundred dollars prize  
fight money because Frankie Falkland  
Olson and Sanderson had told me he had kicked  
to Huef about \$1 commission. - - - - - 72.





(88) Middle of January, Knief told me, kick in and hold up Parkside and that it and Ocean Shore worth a million and by that I understood he was to get money and cut it up, and I operated on that plan ever afterwards. - - - - 73.

(89) At first Glass trial I testified: "that Kalsey told me to lunch at Keenan several weeks before induction and said he was anxious I should get on Public Utility Committee and they wanted the members to be friendly and I told him such was the policy of the administration and there would be no trouble about my friendliness". And those are the facts. I may be confusing conversations with Kalsey with conversations with Krauss. - - - 73.

(90) At first Ford trial I testified: "Knief told me he never wanted graft of any kind on the municipality and that he felt I was of the same opinion and if I heard of any to let him know and he would prosecute any one that took any money from the city." - - - 73.

(91) Inquiry. - - - - - 74 to 81.

(92) First caucus after induction Sunday before first meeting; caucused every Sunday night afterwards. They were attended by the Board, the Mayor Knief and Keane, but the Mayor did not attend all. Their object was to discuss all bills to be considered in the Board. Knief presented a great many; he presented the day office. At one caucus Knief told me of a slot machine receiving ordinance. I presented it and it was passed unanimously. Don't remember that other ordinance presented by Knief to the caucus; the skating rink ordinance was after the fire. I attended every meeting up to the fire. No bill was acted upon without caucus; Knief's part at caucus was chief counsel and adviser. He was not then employed by the Board or the city. I think he attended all of the caucuses after the fire and discussed the advisability of ordinances. I attended every caucus after the fire. No bill, resolution or ordinance was adopted without prior action at caucus. - - 82 to 84.



- (93) Talks had with prosecution and examinations of  
previous testimony. - - - - - 85 to 89
- (94) Conversations with Huef and Gallagher at the  
St. Francis Hotel on March 16 or 17th, 1907. 90 to 96.
- (95) Conversations at Tait's and at Sanderson's. - - - 95, 96,  
and 101  
to 104.
- (96) Conversations with Huef about licensing with  
ordinance. - - - - - 97, 98.
- (97) Conversations with Huef about attorneyship  
of the liquor dealers and exposure and  
Sanderson's alleged confession. - - - - - 99 to 101.
- (98) Conversation with Huef at Santa Cruz convention. - 104, 105.





CONFIDENTIAL AND UNCLASSIFIED

As testimony of value of the Trolley Franchise

Given at the last day trial.



My very first conversation with Gallagher on the trolley franchise was in the early part of May, at Grove and Laguna Streets, at the side of Henry's Hall. I was waiting there for a meeting of the Board when Gallagher came up in the automobile with Reef and told me to see the members about the overhead permit, that Reef wanted to know how they felt on the matter; that he was taking it up with the attorneys for the United Railroads and for me to sound the Board.

What Gallagher said in this first conversation was, that he wished me to sound the members on the overhead trolley matter and see if they favored it, that Reef was negotiating with the attorneys for the United Railroads, looking to the granting of an overhead trolley system. I think that is all of that first conversation that I had with Gallagher on the trolley permit. - - - (2036-7)

At the first conversation there was no money mentioned. (2034-5)

Following the first conversation that I had with Gallagher on the trolley permit, I saw most of the members of the Board in relation to the franchise.- - - (2038)

I had my second conversation with Gallagher concerning the trolley franchise a few days after my first conversation with him on the subject, and I told Gallagher in this second conversation with him on the subject

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that most of the members seemed favorable disposed  
towards the trolley. - - - - - (2033-40)

My next and third conversation with Gallagher on  
the trolley franchise was the day the trolley matter  
was passed in print and before the board was called to  
order, and was in the month of May, 1907, at Henry's Hall,  
and no one but Gallagher and myself were present at  
this conversation, and this conversation was that I  
told Gallagher that Furey had just told me there was  
four thousand dollars on the trolley matter, was  
that right, and he said yes. I told Gallagher in  
this conversation that I had a talk with Furey and  
Furey said there was four thousand dollars in it, and  
Gallagher said yes, that was the amount that Mr.  
Ruef had -- it was Gallagher who mentioned Mr. Ruef's  
name in that conversation. What Gallagher said to  
me in relation to Ruef and the trolley franchise in  
that conversation was, he said that that was the amount  
of money that Ruef was allowing to the board, my matter  
was going to be -- it had not been definitely set, the  
amount I would receive, but it would be somewhere around  
ten thousand dollars, probably twelve. - - - - - (2034,5; 2041-3)

I had a conversation with Ruef prior to the passing  
of the trolley ordinance in print and it was other than  
the conversation between him and me on the day that



the ordinance passed to print. This previous conversation with Huef was about a week prior to the passage of the trolley ordinance to print, and was at Henry's Hall, and Huef said to me in this conversation that the attorneys for the United Railroads had sent in an application for the overhead trolley matter, and that it included a number of propositions, and that he had returned it to Mr. E. Boyd the Commissioner and in that way it was coming through in the morning. The first would just sell for the overhead trolley permit, and then it would make it a double-ended proposition, and the consideration would be the same as before, that Gallagher would tell me - when they arranged that matter Gallagher would tell me what that would be. - - - - - (1067)

On the same day that the trolley ordinance was passed to print, which was the same day that I had this third conversation with Gallagher, I had a conversation with Huef at Henry's Hall before the meeting, and in that conversation Huef said that the trolley matter was going through that day and he would like me to present it, he wanted me to present the ordinance and make a talk on it, make a good strong talk. Huef said at that same time that he had not received the ordinance yet - but expected it - I didn't know where the ordinance was at the time of that conversation. Huef said he expected the ordinance would be at him

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office when he returned; that he had sent it back to the attorneys for some changes and he would have it there before the session was over, and to look out for it and present it.

Q. Did he mention the names of the attorneys to whom he had sent it to have the changes made to it?

A. Yes sir. He said that he was in that conversation about the attorneys to whom he had sent it to make the changes in it. He said the attorneys for the United Railroads. - - - - - (2042 to 2043)

The trolley ordinance was brought to the rooms of the Board of Supervisors late in the afternoon of the day that I had the conversation with Innes at Henry's Hall, and the third conversation with Gallagher at Henry's Hall. I can not recall seeing the ordinance that afternoon. - - - - - (2046)

Innes was not present when the vote was taken upon the passage of the trolley ordinance to print. - - (2046-7)

I received two thousand dollars on the trolley matter. (2013)

On the 1st of August I received the first payment of five thousand dollars on the trolley matter. - - (2013)

The number of payments that I received on the trolley matter was two. - - - - - (2025)



I received the first payment on the trolley matter about August 1st, in the ruins of the old City Hall, in the ante-room of the Mayor's office. - - - - - (2015)

There was no one else present when Gallagher made me that five thousand dollar payment on the trolley matter. - - - - - (2016)

That first payment of five thousand dollars which Gallagher made me in the trolley matter was in small bills, one, two and five dollar bills. Some of the bills were as high as twenty dollar bills. Very few large bills. They were mostly small. The small bills predominated. The bills had been used, were old bills. (2018)

What Gallagher said to me when he made me the first five thousand dollar payment was that he said it was a payment on the trolley matter and that there would be five thousand dollars more. - - - - - (2054)

On the 1st of August, 1906, I received the first payment of five thousand dollars on the trolley matter in currency of small denominations. - - - - - (2048)

The first payment of five thousand dollars which I received from Gallagher in the trolley matter I put in a safe deposit box. - - - - - (2052)

I received the letter of the 11th inst.

and in reply to inform you that the same

has been forwarded to the proper authorities

There are no other papers in the file

and as the same have been forwarded to the

proper authorities, I am, Sir, very respectfully,

Your obedient servant,

Belmont, New York, the 11th inst.

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Knef endorsed a promissory note for me while I was supervisor. That was on the 29th of May, 1906, and was for two hundred and fifty dollars, and was a sixty day note. I paid it on August 22; it was due July 28th or 29th, or around there. The reason why I did not pay that note out of the five thousand dollars I got from Jim Gallagher on the 1st of August, 1906, was because the bills were of small denominations, very old, and I was afraid to go down to the Bank and to make the payment with it. I was waiting for the second payment to pay that with. - - - - - (2446-7)

I received a second payment on the trolley matter between the 28th and 30th of August, 1906, and it was five thousand, and this second payment of five thousand dollars was made to me in Thompson's Restaurant, and what Gallagher said to me at the time of this second payment was that that was the amount that had been allotted to me on the trolley matter.- - - - - (2040)

The second payment of five thousand dollars made to me by Gallagher in the trolley matter was in large bills; either all fifty dollar or all one hundred dollars; gold denomination; either all fifty or all one hundred dollars. Q. Either one or the other? A. Either one or the other. They were all gold certificates on the back and the currency was in an envelope. - - - - - (2048-9)

I received a letter signed by the British agent  
between the 10th and 15th of March, 1891, and it was  
dated 10/3/91, and this letter signed by the British  
agent was only 12 in to 12 in to 12 in to 12 in to 12 in  
and the letter was sent to me at the time of the  
report was that that was the second that I had  
received it in the British office.

I have always known that the second payment to me was in large bills and gold certificates. - - - - - (2844)

On August 28, 1906, I made a deposit of five thousand dollars in the California Safe Deposit and Trust Company, which was the money that I obtained from Mr. Gallagher on that day, the second payment in the trolley matter, and he then told me it was the balance of the trolley matter, and it was in currency. (2806)

I made that deposit within two days after Gallagher gave it to me. - - - - - (2804)

My recollection now is that I deposited that five thousand dollars not in three banks but in one. - - - (2812-11)

The entire second payment of five thousand dollars which I received from Gallagher on the trolley matter I deposited on the 30th of August in the banking department of the California Safe Deposit & Trust Co. (2812-10)

In the trolley matter I told Purey when he asked me if the amount that Gallagher told him of four thousand dollars was correct, I told him I had not got the definite information from Gallagher as yet, but I would let him know if that was right, and I did so. - (2809)





I recall the conversation I had with Furey before the vote on the passage to print of the trolley ordinance. It was before the Board went into session and about two o'clock in the afternoon of May 14, 1906. (2518)

Furey then said to me that Gallagher had told him there was four thousand dollars in it, and asked me, is that right, and I told him I had not had a talk with Gallagher yet, but I would see and would let him know. Then I had a talk with Gallagher about an hour later, and then the same afternoon, and before the ordinance was passed to print I reported back to Furey and told him the trolley matter was right. - - (2519-20)

Q. Have you before testified at any time that on that afternoon of May 14, or on the day it passed to print, that you had a talk with Furey, that Furey came to you and told you that Gallagher had said there would be four thousand dollars in that trolley matter, and you told him you would inquire, and then you went and asked Gallagher and then came back and told Furey it was all right? Have you ever testified to that before at all? A. In a general way I stated that the members that afternoon, some of them came to me, but I did not mention the names; it was not gone into fully. I always testified to talking to Furey and Hamlock, but the matter was never gone into any

I would not have been able to do this without your help.

The fact is that the money is not in the bank.

It was not until the 15th of the month that I was able to get the money.

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further than that. There never was any occasion or any question put to me that would lead to that answer. - (2545)

Q. How long have you remembered that you had a talk with Percy on the trolley matter on the day it passed to print and in the afternoon about two o'clock? A. I cannot recall, Mr. Ask. Q. You cannot recall how long you have remembered it, is that right? Have you ever forgotten it when you were spoken to about it or interrogated about it? A. I cannot recall. - - - - - (2546)

The interview between Heneey and myself at the Gladstone lasted about fifteen or twenty minutes.

Q. State whether or not in response to questions propounded by Mr. Heneey to you at the Gladstone Apartments you testified to the facts A. Any questions he put to me at that time I answered to the best of my recollection. In that same interview Mr. Heneey said he didn't care about any political matters; he only wanted facts at that time. - - (2547-5)

I next met Heneey after my interview at the Gladstone Apartments when I was called to his office on the first Glass case, and that interview lasted about five minutes. I did not then go over the facts of the case or any fact in the case. I next met Heneey

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after that two or three days before the first Ford trial, for about five minutes at his office on Franklin street. I took the stand on the first Ford trial. The first Glass trial took place before the first Ford trial. I appeared before the Grand Jury the first Monday succeeding the Saturday I was at the Gladstone. I was on the stand in the Glass case about onehalf day, and I was on the stand in the first Ford trial about two hours. I appeared as a witness in the third Ford trial for about a day and I was a witness in the Parkside trial for about two days. I appeared in the Police Court, but did not testify. I testified in the second Glass case for about two hours. I can't recall any other of the graft cases in which I testified.(2487-91)

Q. Do you remember whether you were ever asked anything in these proceedings what talks you ever had with Mr. Ruef about money in the trolley matter, or about handling the supervisors, or anything of that kind? A. The only time I recall the time with Mr. Ruef on the trolley matter was, it developed later, after this eight thousand dollars came into the case, in talking with one of the supervisors, they told me about telling it was coming through in two sections. - - - (2533)

In answer to your last question repeated, I say I cannot recall whether I was or not.- - - - - (2533)



In all those cases, I only answered the questions that were put to me by the District Attorney, and when he asked me I answered his questions. I had no motive for withholding any of those things. If I had been asked them I would have answered them then. I didn't recall these matters. There are matters that I have recalled even since Saturday in these things.- - - (2223-4)

Since I again testified for the prosecution I have been considering the matter. It is not the fact that my attitude in the matter was that I was trying to think up something that would hurt Kuef in order to show that I was acting in good faith with the prosecution. (2225)

Q. Did Gallagher ever tell you in this trolley matter or did anybody ever tell you in this trolley matter that Kuef was negotiating with the attorneys for the Railroad Company as to what the price would be for putting the franchise through? A. Mr. Gallagher told me that the attorneys for the United Railroads had made application for the overhead trolley permit when it was first discussed with him and myself, and that Mr. Kuef was negotiating with them on the matter.

Q. On the price? A. Yes, on what would come through on the matter. Q. That was the first talk you had with him? A. It was at Santner's knitting place,





when he came up in the automobile with Ruef and took me around the corner and told me to sound the Board out on it. Q. That is, Gallagher took you around the corner?

A. Yes, when he came up with Ruef. Q. And that was the time when he told you that Ruef was negotiating with the attorneys to see how much would come through on it. A. Well, Mr. Ruef--

Q. (Intg.) Please give me an answer. What was the time you had the talk with Gallagher on that subject?

A. Yes, and then I had another talk with Ruef.

Q. There is no question about the truth of your answer now?

MR. SULLIVAN: Which answer do you refer to?

MR. ACH: The last answer which he made, that he had this talk with Mr. Gallagher, when Ruef's automobile came up, and Ruef went away, and Gallagher talked with him near Cantner's knitting place, and told him Ruef was negotiating with the attorneys to see how much would come through, and you were to go out and sound the Board on it? A. I cannot state it definitely, that it was on that particular day, but there was a talk on these lines? Q. Why did you say a minute ago it was at that time and place if you did not know it definitely, or if you have a doubt about, why did you say it. Answer the question. If you didn't know it was so, why did you say it? A. It was the first time

There is no need to be afraid of the unknown, for it is the only way to  
know the truth. The only way to know the truth is to be brave enough to  
ask the questions that no one else is asking. The only way to know the truth  
is to be brave enough to say what you think, even if it is unpopular. The only  
way to know the truth is to be brave enough to stand up for what you believe in,  
even if it means standing alone. The only way to know the truth is to be brave  
enough to face the consequences of your actions. The only way to know the truth  
is to be brave enough to live your life on your own terms. The only way to know  
the truth is to be brave enough to die for it. The only way to know the truth is  
to be brave enough to be different. The only way to know the truth is to be  
brave enough to be yourself. The only way to know the truth is to be brave  
enough to be true.

the trolley was discussed, and it is my best recollection at that time that that was the subject of the conversation. Q. Don't you know, Mr. Wilson that you have repeatedly said that there was no mention of any money by Mr. Gallagher, or insinuation of money when he first talked to you, and that he never talked to you about money and that trolley matter, until May 14th 1906, when you went to the Board and that thing went through; don't you know that now? A. The amount of money. Q. Yes. Now it is limited to the amount of money is it? A. No, I think you will find my testimony states it is the amount, if I remember it. Q. All right. A. I mean there was no discussion on the amount; there was no price arrived at. Q. But from the very beginning then, if I understand you correctly, from the very beginning he did tell you that Kuef was negotiating with the attorneys on the question of the amount to come through for it? A. Well, I could not say that it was from the very first, the trolley matter; for me to feel the Board out and see how they felt, that they had made an application for the permit, and Mr. Kuef wanted to know how the Board would stand on the trolley matter. Q. Did he say that Kuef was negotiating with the attorneys on the question of the amount to come through? A. Well, if he did not at that particular time he did at another time; I could not state. Q. And long before the meeting where the thing went through?

[illegible]



A. Yes sir. Q. And of course you went out and told these associates of yours upon the board that Ruef was negotiating with the attorneys on the amount that was to come through, didn't you? A. No sir, I didn't tell them; I don't think I said anything to them about money matters. I simply felt them out, as it were, said the trolley matter, they were talking about an overhead trolley proposition, and what did they think of it, and talked to them, and they seemed to feel favorable, and I reported to Mr. Gallagher that the board seemed to feel favorable upon the proposition.

Q. Why did you suppress from Furey and Lamlock and the rest of the men who had engaged your good services in going to Ruef, that Gallagher had said there would be something coming through on it? A. I didn't suppress it after having talked with Ruef, that it would come through in two sections; I told them that, that the matter was coming through in two sections, and then when Mr. Gallagher gave them the amount, this came out afterwards; when Gallagher gave them the amount of four thousand dollars, they doubted it, and said "Wilson said it is coming through in two sections, and it will be eight thousand dollars."

Q. How many of them did you tell before that vote that it was coming through in two sections?

A. I told I think, Furey and Lamlock. I don't know whether

1. The first of these is the fact that the  
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4. The fourth is the fact that the  
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10. The tenth is the fact that the

I told the others or not, I may have done so.

Q. The others, all of them? A. No, I did not talk to all of the men. Q. Who did you talk to about it? A. That is my recollection, that I talked to Percy about it. Q. You said Percy and Lesloch, and you might have talked to others; now who are the others?

A. I don't recall; I don't know that I talked to them; I might have talked to the others. I cannot recall it.

Q. Did you talk to Nicholas about it? A. I cannot recall whether I talked to Nicholas or not. - - - (2336 to 2339)





Before there was any vote on the trolley matter I think there had been some talk between me and Gallagher along the line of there being money in the trolley matter. - - - - - (C244)

Q Now before Gallagher spoke to you about it, is it not true that there was some talk among you members of the Board of Supervisors that there would be something coming through in the trolley matter?

A. I think it was so understood.

Q. How many members of the Board did you talk to on that?

A. That there was something coming through.

Q Yes. A. When I mentioned the trolley matter, I never mentioned that there would be anything coming through.

Q. How many of the boys mentioned to you that there would be something coming through on it?

A. I don't recall that any of them spoke to me about it.

Q. Then you never heard it until Jim Gallagher mentioned to you that there would be money in it?

A. Well, I was asked to sound the Board and to see how they felt on the trolley matter, and I talked to them about it and they seemed favorable.

1. The first part of the report is devoted to a general survey of the situation in the country. It is a very interesting and useful survey, and it is well worth reading. It is a very interesting and useful survey, and it is well worth reading.

2. The second part of the report is devoted to a detailed survey of the situation in the country. It is a very interesting and useful survey, and it is well worth reading. It is a very interesting and useful survey, and it is well worth reading.

3. The third part of the report is devoted to a detailed survey of the situation in the country. It is a very interesting and useful survey, and it is well worth reading. It is a very interesting and useful survey, and it is well worth reading.

4. The fourth part of the report is devoted to a detailed survey of the situation in the country. It is a very interesting and useful survey, and it is well worth reading. It is a very interesting and useful survey, and it is well worth reading.

5. The fifth part of the report is devoted to a detailed survey of the situation in the country. It is a very interesting and useful survey, and it is well worth reading. It is a very interesting and useful survey, and it is well worth reading.

Q. Any money mentioned? A. No, because Mr. Ince said he was negotiating with the attorneys for the United Railroads.

Q. Ince told you that? A. Yes sir.

Q. For money? A. He said he was negotiating with them on the trolley matter, and Mr. Gallagher would let me know what the consideration would be.

Q. He mentioned that he would let you know what the consideration would, - Ince said that?

A. Yes sir, he told me that when he said he had eliminated the franchise. - - - - - (2245)

Q. Now did you not in the Glass case, on Tuesday July 22nd, 1907, x x x x testify in answer to the following questions as follows, - "Q. What do you mean, it would be higher up? A. Well, because we did not know where the money came from, - we did not know from what source Mr. Gallagher got the money. Q. You did not know? A. No sir."

Did you not so testify? A. I would like to read a little before that, Mr. Ach, before I answer that question. That is a clerical error, - it should be Mr. Ince, instead of Gallagher.

Q. Do you mean to say you did not swear you did not know where Gallagher got the money?

A. I do know where Gallagher got it.

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31. The tenth condition is that the  
32. will be satisfied with the following  
33. condition.



Q. Do you mean to swear that you did not testify in that trial that you did not know where Gallagher got the money?

A. I did know the sources that Mr. Gallagher was getting the money from. That is a clerical error Mr. Juef.

Q. Do you mean to swear you did not testify in that Glass case at that time and place, and in the presence of the persons I mentioned, in the city and county of San Francisco, that you did not know from what source Gallagher got the money?

A. I did not so testify, no. If you will allow me to read just what goes beyond that, when I am speaking of Mr. Juef and the higher-ups, I am speaking of Mr. Juef right before that, and the people higher-ups -- I did not know the source where Mr. Juef got the money. x x x I was speaking of Juef and the higher-ups.

Q. After reading the testimony, what is your statement as to the fact? A. That is a clerical error. It should be Mr. Juef. I am talking of Mr. Juef right along there, and here it brings in the name Gallagher.

Q. Now, didn't you testify immediately before that, and wasn't this your testimony from where I



read you before." x x x x

Q. In what way was that stated? A. Mr. Gallagher made the statement x x x x that Luaf might see it "to his interest if he could get the terms, to tell the "truth, that the prosecution was going to rig a "wrong, that they wanted to stop the source of the "bribery, and it was possible if Luaf would tell the "truth, that he might get the same thing, and then "it would go further than the board, it would be higher-up than the Supervisors. Q. What do you mean that "it would be higher-up? A. Well, because we did "not always, we did not know where the money came "from, - we did not know from what source Gallagher "got the money."

A. I was just talking about Luaf.

Q. Wait a minute. A. You did not know? A. No sir. Q. And then that the prosecution would go beyond the Supervisors and Luaf and reach higher-up is that the idea? A. That was just the idea of Gallagher in discussing it, it suggesting it, - it was not anything definite on the proposition at all."

that is what you meant to read? A. Yes sir, - we had discussed Gallagher himself. He was discussing Mr. Luaf and the higher-ups.

Q. Now you have testified and I understand that





that was a clerical error and you did not say Gallagher?

A. Yes sir. Q. And you remember that you did

say snuff? A. If I did say it, it was simply a

slip of the tongue. Mr. Gallagher wouldn't be

speaking of himself. He was speaking of snuff and

the higher-ups. Mr. Gallagher knew himself the

source from which he was getting it x x x x. I might

have said Gallagher, but I intended to say Mr. snuff.

(2247 to  
2250)

I did testify at the Gladstone Apartments, as  
follows, -

"Q. There was it paid to you? A. Well, we  
"were out driving and stopped at the old City  
"Hall to see if it could not be repaired. He  
"handed me an envelope with five thousand dollars  
"in it and the other five thousand dollars was  
"handed to me at Mowry's Hall.

"Q. By Gallagher? A. Yes sir.

"Q. How long afterwards? A. Probably a  
"month afterwards. Q. Was that in an envelope  
"also? A. Yes, all the money was in an  
"envelope.

"Q. Small or large bills? A. Both in small  
"bills.

"Q. That was in September that the second  
"payment was made? A. It might have been, -

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"that was the first payment, was about the first  
"of August and the second payment in the latter  
"part of August. I want to say that I am very  
"poor on dates. I cannot remember this very  
"well."

That testimony was simply from memory. I had no  
way of fixing the date and I afterwards recalled this  
note proposition and that fixes the date definitely  
and that statement is not correct as to where the  
second payment was made. It was made in Thompson's  
restaurant, as I afterwards stated.

Q. And there you swore it was at Lowry's Hall, and  
there you swore it was in small bills, and here  
you swear it was in Thompson's safe and one hundred  
and fifty dollar gold certificates. A. Yes sir,  
because I went over the matter and refreshed my  
memory on it. X X X the date I went to the  
Gladstone Apartments I never expected to make any  
statement of these matters. I simply made a  
hurried statement and he did not go into details.  
He did not say he wanted the details. He said  
he would get them later. (The Gladstone state-  
ment was thereupon offered in evidence to show  
that the witness did get into details). - - - - - (2442 to 2450)





I don't recall that anybody drew my attention to the United Railroads and the laying of tracks or the preparation for electric service after the fire.

Q. Was it a matter that you took any notice of or any consideration of at all until Gallagher came and spoke to you at Cartners there with that automobile of Ruef's? A. Not as to the electric matter,-- as to them putting in a connection at Eddy and Market. Not putting very much -- connecting up Eddy Street with Market. That was some time after the fire. What there was about that was that they were connecting up Market Street with Eddy. They were putting in a permanent connection. It was connecting up in systems.

Q. In the overhead trolley system was it? A. You could not misjudge what the motive power would be. I had felt that the uniform system was a good system. - - - - -

(2457-8)



I did testify at the Gladstone as follows:

"The only other matter that I received any money as a supervisor was the trolley.  
"Then did that first come up? A. Right after the fire. The Mayor had granted temporary permits and they were putting in permanent construction on those terms. I was down town one day and I called Supervisor Gallagher's attention to it, and that the Company was putting in permanent construction which was not right, and the Board would probably be enjoined. He said he was going to see about it, and after that I was told it would be all right, that there would be something doing.  
"The fact was that? A. Supervisor Gallagher. I received ten thousand dollars."

I don't recall that testimony, but in substance that is right, but I did not go into details. About the permanent construction, I called his attention to, was at Addy and Market, that putting in the connection there with the concrete foundation, and I did not think they had a right to do that, and I called his attention to that matter. The temporary permit was for electric motive power. - - - - - (2455-3)

Q. Isn't this trial the first time that you ever testified that the second payment in the trolley matter was in gold certificates?

MR. SULLIVAN: We object to this question. - - -  
He said the second payment was in currency and gold certificates.

MR. ACK: He said gold certificates.

MR. SULLIVAN: All gold certificates?

MR. ACK: Yes, I understand him to say all large

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bills, either fifty or one-hundred, and also certificates, - gold certificates.

Q. Didn't you? A. That is my recollection of it. Yes sir.

MR. ADA: Mr. Sullivan is wrong again.

I cannot be positive whether they were all fifties, or all hundred dollar bills, they were either all one or all the other. My best recollection is they were hundred dollar bills, but then they may have been all fifties. I have not got any of them yet. I banked them. - - - - -

(E46V-8)

Q. Now on page 69 (Grand Jury) were you not asked by Mr. Loney this question:

"Q. Now then, did you talk with Ruef about the 'trolley matter at all'?

and didn't you answer, "No, never had any conversation with Mr. Ruef on those matters."

A. I don't recall it.

Q. You do not dispute the correctness of that record do you, that you were asked that question and gave that answer? A. Well my mind at that time might have

been to the amounts for the Board of Supervisors, the amounts that were to be distributed. I did not discuss the amounts for the Board with Mr. Ruef.

Q. The question was by Mr. Loney:

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"Q. Now then, did you talk with Knief about the "trolley matter at all",

and didn't you answer: "No, never had any conversations with Mr. Knief on those matters," didn't you so testify?

A. I probably did. I don't recall it. - - - - - (E224-5)

Q. Now, on page 61 (Grand Jury) Mr. Wilson, after you had been interrogated about Parkside;

"Q. Did Mr. Gallagher tell you about this payment, or "who did tell you? A. I think Supervisor Gallagher told that. Q. Did Knief ever talk to you about it? "(Referring to Parkside) A. Never had a conversation "with Knief on any money matters at all."

didn't you give that answer, and didn't Mr. Hancy immediately follow with this next question, and say to you,

and ask you this question: "Proceeding one by Selacy", and you answered: "Yes sir", -- didn't you so testify. A. I

am just reading what went before it. My recollection is that I testified for the supervisors, because preceding

that I had had a conversation with Mr. Knief and so testified. A. Did you not testify as the record which I

show you disclose? A. Well, it is there.

Q. You do not dispute it, do you? A. No sir, but

I say my recollection is that it was for the supervisors, money matters for the board. - - - - - (E226)

I did testify before the grand jury as follows:

"Q. Did Gallagher have you tell the other members

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"of the Board as to how much was coming through  
"for the trolley?"  
"A. Yes sir, there was some members of the Board  
"that he asked me to talk to in the matter, yes sir.  
"Q. And you did prior to the vote? A. Yes sir.  
"Q. Do you remember who they were? A. Supervisors  
"Furey and Max Lashlock."

That is true, yes sir, I talked to them on the trolley,  
and I testified that way, and it was true. And then  
immediately I gave the following testimony:

"Q. Do you remember who they were?  
"A. Supervisors Furey and Max Lashlock.  
"Q. On any of the other matters do you remember  
"whether you talked to them for Gallagher?  
"A. They came to me and asked me if this was  
"right, and I would tell them yes.  
"Q. By right, they meant something coming out  
"of it? A. Yes sir."

And that is true. - - - - - (2266)

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I did testify before the Grand Jury in the  
traveller matter that the first lot was handed to me in the  
old City Hall, and we went into the Mayor's room, and  
while we were looking it over Gallagher said: "There  
is an envelope for you Andy", and I put it in my  
pocket. And at the same time and place I gave the  
following testimony:

Q. You understood where it came from? A. Yes  
"sir. Q. The second payment, where was that made?  
A. At Thompson's cafe. Q. You say you bank-  
ed that? A. Yes sir. Q. The last one? A.  
"Yes sir, I think I banked it in two or three  
banks, I have an account in three banks, the  
"Western National, the California Safe Deposit,  
"and Wells-Fargo. I think I deposited two thou-  
"sand five hundred dollars in the California Safe  
Deposit and Trust Company to pay a note that was  
"due. That note was endorsed by Gus. I was  
"spending with him one day, and I told him I  
"was thinking of buying some property, and was  
"short on it, and Mr. Robin was not loaning any  
"money, and Mr. Gus said he would take me down  
"and introduce me to the bank, and Gus said at the  
bank: "Well, I will endorse it for you".- (2263-2264)





I testified at the Grand Jury on page 88, that the highest bills in that package in the first payment were about twenty dollars and that there might have been fifty dollar bills and that not many of the bills were large. - - - - - (2313)

I did testify before the Grand Jury as follows:  
"Before the vote on the overhead trolley for the United Railroads I did hear that there was to be some money paid. Supervisor Gallagher told me that. He did tell me how much it would be. He said ten thousand dollars for me.  
"I heard there was four thousand dollars for the others who voted for it. I afterwards received money, it was from Supervisor Gallagher, and was ten thousand dollars, and was in two payments of five thousand dollars each. The first payment was all small bills. The first payment was in very small bills, as low as ones and twos; the whole package would be a pretty large package, four or five inches. The highest bills in that package of the first payment would be about twenty dollars. There might have been fifty dollar bills, but there were not many of the large ones." - - - - - (2314)

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I did testify before the Grand Jury as follows:

"Q. Now, then, did you talk with Chief about the

"trolley matter?" A. No, never had any conver-

"sation with Chief on those matters." - - - - -

(2550)

MR. ATTORNEY: We offer in evidence the full testimony given by this witness on the trolley matter before the Grand Jury.

"At the time the application for the license to

"put up this overhead trolley by the United

"Railroads I had heard before the vote on that

"that there would be some money paid. I was told

"that by Gallagher. He told me how much it would

"be. He said ten thousand dollars for me. He

"said how much the others were going to get, namely,

"four thousand dollars. I voted for it and I

"afterwards received ten thousand dollars from

"Gallagher in two payments of five thousand dollars

"each. The first payment given to me was of

"small bills. Q. Do you remember how small they

"were? A. Well, one payment was very small

"bills and the other was very large. Q. The

"first payment, was it very small? A. Yes sir.

"Q. How shall did they go, the small ones? A. As





"low as one and two dollars. The whole package  
"would be a pretty large package, four or  
"five inches. The highest bills in that first  
"payment was about twenty dollars, but there may  
"have been fifty dollar bills. Q. Many of them  
"fifty? A. Not many of the large, no.  
"Q. Can you tell us about when that was after the  
"fire, about how long after? A. I would say  
"about four months. I think it was in the early  
"part of May that the vote was taken in. It was in  
"August that the first payment was made and the second  
"was about three or four weeks after the first payment.  
"Q. And that you say was large bills? A. Yes sir.  
"Q. What size? A. One hundred dollar bills.  
"Q. Any larger than that? A. No, I think all  
"hundred dollar bills, pretty positive of that,  
"because I banked that. The first payment was  
"made to me in the old City Hall, and he went  
"off towards the Mayor's room and looked it  
"over. He said 'There is an envelope for you,  
"Andy', and I put it in my pocket.  
"Q. You understand where it came from? A. Yes  
"sir. Q. The second payment, where was that  
"made? A. At Thompson's Cafe. I banked that  
"last payment. I think I banked it in two or



"three banks. I had an account in three banks,  
"the Western National, the California Safe  
"Deposit & Wells Fargoes. Twenty-five hundred of  
"that I deposited in the California Safe Deposit  
"A Trust Company and paid a note that was due and that  
"was endorsed by Ruef. I was riding with him  
"in the automobile one day and I told him I  
"was thinking of buying some property and was  
"short on it, and Tobin was not lending money  
"and I asked for a loan, and he said he could not  
"loan that just then. I wanted to borrow twenty-  
"five hundred dollars and he said he knew the  
"President of the Bank and would introduce me.  
"and the President of the Bank said, well you  
"know we cannot loan this without putting it be-  
"fore the Directors for an endorsement and Ruef  
"said I will endorse it for him. That was the  
"California Safe Deposit. I paid that out of  
"the second five thousand dollars." - - - - - (207 to  
2510)

I testified in the Glass case on July 23, 1907,  
as follows:

"I received for the vote on the trolley franchise  
"ten thousand dollars. It was paid me by  
"Callagher. The first payment was paid to me  
"in the old City Hall. That was five thousand  
"dollars. Callagher paid it to me in currency."

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Source: *Journal of the American Statistical Association*, 1997, 92, 1037-1047.

[illegible]

"Q. He had told you that there would be ten thousand dollars coming to you in that matter if you voted that way, did he not? A. I can't think there was a definite understanding, Mr. Money."

"Q. Did you not testify before the Grand Jury as follows: 'Now then, the next matter I want to direct your attention to was the trolley, at the time of the application for the license to put up this overhead trolley by the United Railroads, did you hear before the vote that there was to be some money paid? A. Yes sir. Q. Who told you that? A. Supervisor Gallagher. Q. Did he tell you how much it would be? A. Yes sir. Q. What did he say? A. Ten thousand dollars. Q. For you? A. Yes sir.' Q. Did you so testify? A. Yes sir. Q. Was that true? A. Yes, only it might have been more; it depended. Q. It might have been more than ten thousand dollars? A. Yes sir, it was to be not less than ten thousand dollars, Mr. Money, no, not less than ten thousand dollars. Q. What makes you say that? A. Well, there was a certain amount to come to the Board, and there would be a certain amount given to Mr. Gallagher, a certain amount to myself, and it would be ten thousand dollars or more."

I so testified, it was not definitely - - there was some add money Gallagher said would be cut up and that I would receive twelve thousand dollars. Everything in that answer is true. As to what the certain amount was that was to come to the Board I never definitely understood. It was arranged between Ruef and Gallagher. It was Gallagher who told me that there was a certain amount to come to the Board, but he did not know what that amount was, he had not found that out. I never knew what Mr. Gallagher received until he testified.

. I want to know how you came to answer under oath



The following is a list of the names of the persons who have been appointed to the various positions in the Department of the Interior, for the year ending June 30, 1901:

| Position            | Name             |
|---------------------|------------------|
| Secretary           | John W. Foster   |
| Assistant Secretary | John W. Foster   |
| Chief Clerk         | John W. Foster   |
| Comptroller         | John W. Foster   |
| Inspector           | John W. Foster   |
| Surveyor            | John W. Foster   |
| Recorder            | John W. Foster   |
| Steno-grapher       | John W. Foster   |
| Librarian           | John W. Foster   |
| Printer             | John W. Foster   |
| Janitor             | John W. Foster   |
| Watchman            | John W. Foster   |
| Porter              | John W. Foster   |
| Driver              | John W. Foster   |
| Coachman            | John W. Foster   |
| Footman             | John W. Foster   |
| Butler              | John W. Foster   |
| Housekeeper         | John W. Foster   |
| Steward             | John W. Foster   |
| Waiter              | John W. Foster   |
| Bar-tender          | John W. Foster   |
| Cook                | John W. Foster   |
| Baker               | John W. Foster   |
| Butcher             | John W. Foster   |
| Greengrocer         | John W. Foster   |
| Flower-seller       | John W. Foster   |
| Stationer           | John W. Foster   |
| Druggist            | John W. Foster   |
| Physician           | John W. Foster   |
| Surgeon             | John W. Foster   |
| Lawyer              | John W. Foster   |
| Minister            | John W. Foster   |
| Teacher             | John W. Foster   |
| Student             | John W. Foster   |
| Preacher            | John W. Foster   |
| Evangelist          | John W. Foster   |
| Deacon              | John W. Foster   |
| Singer              | John W. Foster   |
| Organist            | John W. Foster   |
| Choirman            | John W. Foster   |
| Reader              | John W. Foster   |
| Exhorter            | John W. Foster   |
| Prayer-leader       | John W. Foster   |
| Scripture-reader    | John W. Foster   |
| Psalmist            | John W. Foster   |
| Gospel-reader       | John W. Foster   |
| Epistle-reader      | John W. Foster   |
| Apocalypse-reader   | John W. Foster   |
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| Biographic-reader   | John W. Foster   |
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1. The first step in the process of the investigation is to identify the problem. This involves a thorough review of the available information and a clear definition of the issue at hand. Once the problem is identified, the next step is to gather data. This can be done through various methods, including interviews, surveys, and document analysis. The data collected should be organized and analyzed to identify patterns and trends. Finally, the results of the investigation should be presented in a clear and concise manner, highlighting the key findings and recommendations.

in the Glass case on July 23, 1907, when interrogated by Mr. Honey concerning this matter, what you answered that there was to be a certain amount of money to come to the Board, and there would be a certain amount given to Mr. Gallagher and a certain amount to myself, and it would be ten thousand dollars or more. What I want to know is where you got this information that there would be a certain amount to go to the Board and of that certain amount you and Gallagher were to get a certain amount. Where did you get it? A. I got it from Mr. Gallagher. Q. What was the certain amount he told you was to go to the entire Board? A. He never gave me that, I never knew all the supervisors that received money. Q. How was the amount, from this certain amount that was to go to the Board, how was the amount you were to receive and Gallagher was to receive to be ascertained? A. That was to be arranged with Mr. Ruef. Q. Who told you that? A. Mr. Ruef told me that he would arrange it. I have stated there in this case that sitting at a table in the Board room Mr. Ruef told me that Mr. Gallagher would let me know later the amount that was arranged on the trolley matter, that he would let me know. Q. Who told you, was it Ruef, that there was going to be a certain amount? A. No sir, I did not arrange with Mr. Ruef the money for the Board of Supervisors.



Q. No sir. A. Who told you, was it Luef, that there was going to be a certain amount? A. No sir, I don't think he did. Q. Well, who did tell you? A. Mr. Gallagher told me the amount that had been arranged. I don't think Gallagher told me how the amount I was to get and how the amount he was to get out of a certain amount that was to be allowed to the Board was going to be determined.

Q. Is it not true, Mr. Wilson, that you and Gallagher had a talk and there was a certain amount of money to be cut up between the members of the Board on the trolley matter, and you talked to some of them and he talked to some of them and you figured around to see how cheap you could get them to stand in with you, and then the balance you and Gallagher were going to cut up between yourselves? A. No sir, that was not the way of it at all. Q. There was no division to occur at all, was there? A. No sir, because the amount that was to come to the Board was always arranged between Mr. Luef and Mr. Gallagher. Q. You know that because Luef told you so? A. He said that Mr. Gallagher would let me know the amount that they determined on the trolley matter; that it was coming through in two sections. That was before Gallagher spoke to me about any money at all. I have known that

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all the time. - - - - - (2294 to 2297)

I did testify in the first Ford trial at page 386 of Volume 2, as follows:

"And there never was any discussion with me.  
"me" in any form or manner with me as to money  
"considerations that was to go to the Board of  
"Supervisors."

That answer is true, that the amount the Board was to receive and the distribution of that money and who was to receive it, I never had any talk with him about, for the Board of Supervisors, as I said there; I never had any talk with Mr. Huef as to those amounts. (2299-2300)

I did testify at the first Ford trial, as follows:

"A. I would like to explain my relationship  
"with Mr. Gallagher, Mr. Hovey, if you don't mind.  
"It has been publicly stated and the press pub-  
"lished it, that I was Mr. Gallagher's handi-man on  
"the Board, and that I was the lieutenant on the  
"Board and other such statements. After the  
"Home telephone franchise was granted there was  
"dissatisfaction arose on the Board and they  
"were inclined to take other leadership, and I  
"told them and counseled them, and told them that  
"we had all received our nominations through Mr.  
"Huef, and I had received my nomination partly  
"through Mr. Keane, and I felt responsible for  
"this for my actions on the Board of Supervisors,  
"and that I intended to be loyal to the Adminis-  
"tration and Mr. Huef. , and in conversa-  
"tion with Hovey and Gallick at lunch and day,  
"they said they would like it if they could get  
"their information from Huef other than Gallagher,  
"confirmed as it were any information he might  
"give. I called upon Huef and told him that  
"they wanted that information and he said that he  
"had already heard of the dissatisfactions on the  
"Board and my advice to them to be loyal, and he  
"appreciated it very much, but that he did not feel  
"that he wanted to discuss matters of policy with

"I'll keep it for you until it comes  
 at home," he said.

"That's all right," said Jay Gatsby, "but  
 I want to see it first. I want to see it  
 before it comes home."

"That's all right," said Jay Gatsby, "but  
 I want to see it first. I want to see it  
 before it comes home."

"I'll keep it for you until it comes  
 at home," he said.

"That's all right," said Jay Gatsby, "but  
 I want to see it first. I want to see it  
 before it comes home."

"anybody other than Mr. Gallagher, it would only  
 "take up time, but that anything that came up  
 "on the Board, I could talk with Mr. Gallagher and  
 "let the other members think that the informa-  
 "tion was coming from him, if they thought that  
 "would be better; it might alter that feeling.  
 "And I told Murey and Barlock that any information  
 "I gave them would be all right, and then there was  
 "a general feeling got around on the Board that pos-  
 "sibly I was getting my information from Murey,  
 "which was not the case. I was getting my infor-  
 "mation I had through Gallagher, and I simply  
 "would tell the members whatever Mr. Gallagher says,  
 "that it is all right. Even when I would arise  
 "and second a motion on the Board the members  
 "would feel that that was all right with the  
 "Administration, and they would support it. But  
 "there was never understanding that I was to hold  
 "any other position than keeping the Board loyal  
 "to the Administration. And there was never any  
 "discussion with Murey in any form or manner with  
 "me as to money considerations that was to go to  
 "the Board of Supervisors. And when Mr. Gallagher  
 "talked to me on this matter he asked me to  
 "sound the Board and see how they felt on the  
 "trolley matter, because he was very busy on the  
 "Finance Committee \* \* \* I went around among  
 "the members and I found the ones I spoke to in  
 "favor of the trolley system. I told them that  
 "it would be good for the city and they generally  
 "favored it, and subsequently to that I reported to  
 "Gallagher that the Board seemed favorable towards  
 "the trolley system, all the members I have spoken  
 "to - - that there seemed to be no opposition  
 "to it. At that time I never mentioned any money  
 "to any supervisor. Nor was it my position to  
 "tell any supervisor of what amount of money  
 "was coming through on anything." That is right  
 "it never was my position to tell any supervisor  
 "what was coming through on any matter. I gave  
 "that answer. Yes sir, for the Board of Supervi-  
 "sors, I never discussed any money with Murey, the  
 "amounts the Board was to receive or its distri-  
 "bution. - - - - -

(2301 to  
 2303)

I testified in the first Ford trial, in September,



1907, as follows:

"I never had anything to do with the preparation  
of the trolley ordinance; I never saw the  
ordinance. I never saw the typewritten ordinance.  
"I did not introduce it, to my recollection.  
"I don't remember anybody asking me to introduce it.  
"As I say, I cannot recall any of the circumstances  
of the introduction of the ordinance." - - - - (RECU)





I do not dispute the correctness of the receipt which shows that commencing on page 891 of the first Ford trial, I testified as follows:

"After this talk with Gallagher when he came up in the auto with me and took me around the corner I had another talk with him in which I reported to him the result of my interviews with some of the members of the Board. In that conversation nothing was said about money. There was a great deal of uncertainty as to what was to be the amount of money. It was thought it would be eight thousand dollars and probably four thousand. It was not definite with myself, the amount of money, as to what I should receive, or what amount of money I was to receive, and it was not definite as to what anybody was to receive that I know of at that particular time. After that talk with Gallagher when I came to the Board one day, and they were discussing about the trial and some of the Supervisors came up and said to me, 'Is this all right? There is eight thousand dollars in this;' and I said, 'Whatever Mr. Gallagher told you', and some of them seemed to be under the impression there was four thousand dollars in it. Before the matter came up before



"the Board for passage to print the first time,  
"May 14, 1906, I did not have any further talk  
"with Gallagher further than that I know there  
"would be something coming through on the Trolley,  
"but I didn't know how much then. And I would  
"like to correct my testimony, Mr. Keney, because  
"it is only last night that I remember the full  
"particulars of it; and Mr. Delmas asked me here  
"if I didn't know there was ten thousand dollars  
"coming through on the trolley, and I told him no,  
"that I didn't know what the amount was, and then  
"he read my testimony before the Grand Jury, and I  
"said, yes, I knew there was ten thousand dollars;  
"but the facts of it, some time after Mr. Gallagher  
"was living out on the Ingleside Road and I was liv-  
"ing at Las Mater, one afternoon he drove me around  
"to Chief's office. This was long after the trolley  
"had passed, and he said he was going to see how  
"that matter of the trolley, the money, what I was  
"going to receive, how it was going to be divided;  
"and we got talking about some other matters, when  
"we got back into the buggy, and on a small street  
"between Valencia and Guerrero, out at the depot,  
"he told me there would be twelve thousand dollars  
"in it. That was after it was passed, and I told





"him that he could have two of it, and he said he  
 "did not want any of it, that it would be all right,  
 "that there was some money over there and that I  
 "would get twelve thousand dollars. And then when  
 "it did go through after that it was ten thousand  
 "dollars. This talk that I am speaking of was some  
 "time previous to the distribution of the money.  
 "He thought it would be twelve thousand dollars,  
 "and then I told him he could keep two of it. He  
 "said, when they were figuring that there would be  
 "about that in it for me, when it came through,  
 "they said it didn't just turn out that way, that  
 "there was ten thousand dollars. As to your ques-  
 "tion, how much did I think I was going to get at  
 "the time it went through, I say there was not any  
 "specific sum mentioned that I was to get. He did  
 "not say what I would get, whether I would get ten  
 "thousand dollars or twelve thousand dollars or  
 "fifteen thousand dollars. There was no definite  
 "understanding as to the amount I was to receive." (2504  
 to 2507)

There was never any definite amount. (2507) I followed  
 you as you read that record to me; possibly I did tes-  
 tify as you have read, but I could not say whether I  
 did or not, but I don't dispute the correctness of the  
 record. - - - - - (2507)



It is not true that Gallagher told me after it passed to print that the money for the trolley had not been divided, and he could not tell me how much I would get. - - - - - (2507)

I was trying to give the testimony in the Ford case at that time, but Dr. Henry knew, or I told him, that my doctor did not want me to go on the stand the day I did. I had been operated on the day before, for a carbuncle on my neck and twelve on my back. He said he had covered a space four times the size of my hand with cocaine, and he thought I ought to get to bed instead of to a courtroom. - - - - - (2507)

I testified that this first five thousand dollars I got in the old City Hall. - - - - - (2507)

We drove up there together from down town; from the neighborhood of Kearney street. I don't recall if Gallagher told me on the way out that he had a big envelope containing five thousand dollars in his pocket for me. It was my buggy. We were looking over the ruins. If we were going out there for the purpose of going into the Hall and into the lawyer's office, so Gallagher could give me that envelope, I cannot recall it. We were looking through the Hall at the same time. (2508)

I don't recall whether that was our object in going there. We were also looking about what could be re-



stored of the Mall. Gallagher might have told me  
 when he got into the buggy with me that he had some-  
 thing in his pocket for me. It was at the old City  
 Hall he gave me the money. I put it into the safe de-  
 posit box. When he gave it to me I put it in my  
 pocket. It was in a very thick envelope, probably  
 three or four inches thick. - - - - - (2509)  
 The denomination of the bills were ones and tens, fives  
 and ten dollar bills, very small, old bills. - - - - - (2510)  
 There was nothing over ten, that I recall. There may  
 have been some twenties, but I don't think so. I  
 think there were more than five hundred dollar bills,  
 possibly a thousand, in one dollar bills. There was  
 possibly a couple of thousand dollars in two dol-  
 lar bills. The balance would be divided between fives and  
 tens, or twenties. I know they were small bills, be-  
 cause I intended to pay a note that was due at the bank  
 with the money. It was a sixty day note, made on May  
 28, and I received the money after this note was pay-  
 able, but the money was in such small currency, and  
 old, that I did not take it to the bank, and put it in  
 the safe deposit box. I used that money in different  
 matters. I cannot recall what I did with these one and  
 two dollar bills. There were some money transactions  
 going on between the supervisors; Adelock Barrett





some money from me, and Eury, and I borrowed some from Kelly, and paid it back, and I borrowed some from Eury, and paid him back, and it is possible I used some of this money in the different transactions. - - - - - (2511)

As to your question when I borrowed any money from Harlock, I say after the fire there was a scarcity of money around. I could not say when I borrowed from Harlock. He borrowed money from me, but I could not say whether I borrowed money from him. - - - - - (2511)

I don't know whether I paid any of these two or one dollar bills to Eury or Harlock, or how they were paid. I know I gradually used some of them in my business. There are no more of them. I don't think I deposited any of them in bank. I have always known that there was such a large amount of one and two dollar bills in that package and I have always so stated. - - - - - (2511)

I see my testimony at the first Ford trial commencing at page 293 as follows, -

"There was ten thousand dollars paid to me after the passage of this Kelley ordinance. It was in two payments. The first payment was sometime in July, about the latter part of July, 1906. I think the first payment was in small bills, United States currency, of the denominations of fives, tens and twenties, probably some of them smaller than that. There were ones and twos. I have no idea how many of the ones and twos there were. It was an envelope, 'probably a couple of inches thick.' - - - - - (2512)



I did so testify. The package was not as large as twenty inches, but it was a very large envelope. - - (2312)

The reason I did not testify definitely there, or more definitely about the ones and twos, was because I was not paying any attention that day to what I was testifying. I went home about half past five and telephoned Harry and asked him to put me back on the stand the next morning, --- that I didn't know what I was testifying to when I was on the stand.- - - - - (2313)

Q. Of course the only reason that affected you in your Ford testimony the first time was the fact that you had had some carbuncles cut out of your neck some time before?

A. The night before.

Q. That is the only reason. A. The testimony itself proves that I talked to Percy and Max Hamlock, and later on in the same testimony I denied it.

Q. That is the only reason for the statement that you made under oath there, that you did not talk to Percy and Hamlock, or to anybody about any money matters, and that you were not the handy man, is because you had a carbuncle cut out the night before, isn't it? A. That is not a proper statement.

and the other two are the same as the first two, but the third is a different color.

1. The first is a different color.

2. The second is a different color.

3. The third is a different color.

4. The fourth is a different color.

5. The fifth is a different color.

6. The sixth is a different color.

7. The seventh is a different color.

8. The eighth is a different color.

9. The ninth is a different color.

10. The tenth is a different color.

11. The eleventh is a different color.

12. The twelfth is a different color.

13. The thirteenth is a different color.

14. The fourteenth is a different color.

15. The fifteenth is a different color.

16. The sixteenth is a different color.

17. The seventeenth is a different color.

18. The eighteenth is a different color.

19. The nineteenth is a different color.

20. The twentieth is a different color.

21. The twenty-first is a different color.

22. The twenty-second is a different color.

23. The twenty-third is a different color.

24. The twenty-fourth is a different color.



MR. O'GARA,- I object upon the ground that there is nothing in the evidence which shows that the witness has testified he did not talk to anybody about money matters.

MR. ACH,- Well, it is in evidence, the statement that he so testified is in evidence in the first time trial, and I read it and read it directly.

1. That I talked to Carey and Canlock, I stated --

2. (Intg) That you did not talk to anybody about money? 3. That is later on.

4. But it is in the testimony 5. It is in the testimony.

MR. O'GARA,- I have no recollection of that being in evidence in this case.

MR. ACH,- This testimony has been read into this record, a portion of it, and draw to the attention of this witness. I read excerpts, - This is page 596.

"And there never was any discussion with Mr. "Huef in any form or manner with me as to money "considerations that was to go to the Board of "supervisors. I went around among the members of "the Board, and I found the ones I spoke to in favor "of the trolley system. I told them that it would "be good for the city and they generally favored it. "And subsequently to that I reported to Mr. Gallagher "that the Board seemed favorable towards the "trolley system, all the persons I had spoken to-- "there seemed to be no opposition to it. At that "time I never mentioned any money to any "supervisor, nor was it my position to tell any "supervisors of what amount of money was owing

11. The first of these is the fact that the  
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"through on anything." and on page 591, - "After this talk with Mr. Gallagher, which you have testified about, when he came up in the ant. with Mr. Ruef and took you around the corner you say you had another talk with him in which you reported to him the result of your interviews with some of the members of the Board?" A. Yes sir.  
"Q. And in that conversation was anything said about money?" A. No, sir."

and at page 592,-

"Now, then, who mentioned the sum of eight thousand dollars or four thousand dollars to you?" A. Well, after the talk with Mr. Gallagher, when I came to the Board one day, they were all discussing about the trolley, and some of the supervisors came up and said to me 'Is this right, there is eight thousand dollars in this?' And I said, 'Whatever Mr. Gallagher told you', and some of them seemed to be under the impression there was four thousand dollars in it.  
"Q. Did you have any further talk with Mr. Gallagher before the matter came before the Board for passage to print the first time, May 14, 1908?" A. Nothing further than that I knew there would be something coming through on the trolley. Q. You didn't know how much then? A. No sir."

THE COURT,- Was that drawn to the attention of the witness?

MR. ABEY, - Yes, your Honor, what I am reading has been.

THE COURT, - That is the matter of Purey and Max Lamlock?

MR. ABEY, - And on page 606. "Q. Mr. Keney has not asked you about it and I will make out his case for him. Do you remember going to Mr. Monaghan and telling him to vote for this, - that he was going to get four thousand dollars for it, or anything like that?" A. I don't remember. Q. You don't remember any such thing? A. I do not remember any such conversation, no.



Re-direct Examination.

Q. Do you mean by that that it did not take place, or that you don't remember it? A. Well, I simply don't remember it, Mr. Casey, I cannot recall the conversation. Q. You had a great many conversations during that time with different members of the Board? A. I said in my opening statement, not as to money matters. Q. But you did talk money, about money in regard to the overheadrolley with some of the members of the Board? A. I don't recall it. Q. Did not you state a while ago that some of the members thought it was to be eight thousand dollars and some of them thought it was to be four thousand dollars? A. There was a general rumor around that there was to be eight thousand dollars or four thousand dollars for it, yes sir. Q. You would not get that rumor except by hearing somebody say it, would you? A. From some of the Board, yes sir."

Q. ALLYVA, - What is the purpose of reading that testimony?

Q. A. - Because it is in the record.

Q. ALLYVA, - This is not the time for arguing the case.

Q. A. - I submit my question. (Question read.)

Q. In statement at that time does say that I stated

I talked to Furey and Pat Mallock both. - - - - (2312 to 2315)

I knew of no reason why I got ten thousand dollars as against the other supervisors four thousand dollars. There was nothing said to me by Callender at that time as to why I was going to get more than the others. - - - - - (2315)

The prosecution did not call me as a witness in the second Ford trial. I was under indictment then. - - (2316)

I was called in the third Ford trial which occurred in April and May, 1908. In the third Ford trial,



DECLARATION OF INDEPENDENCE

When in the course of the human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly, we have recourse to the remedy only when the same have become destructive of the ends for which they were instituted.

Now, in the second year of the reign of George the Third, King of Great Britain, the following circumstances have taken place, which have produced a total and complete dissolution of the political bands which have connected the Colonies with Great Britain.

1. That the King has refused to assent to certain Acts of the British Parliament, which are necessary for the good of the Colonies.

2. That the King has refused to assent to certain Acts of the British Parliament, which are necessary for the good of the Colonies.

3. That the King has refused to assent to certain Acts of the British Parliament, which are necessary for the good of the Colonies.

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8. That the King has refused to assent to certain Acts of the British Parliament, which are necessary for the good of the Colonies.

9. That the King has refused to assent to certain Acts of the British Parliament, which are necessary for the good of the Colonies.

10. That the King has refused to assent to certain Acts of the British Parliament, which are necessary for the good of the Colonies.

11. That the King has refused to assent to certain Acts of the British Parliament, which are necessary for the good of the Colonies.

12. That the King has refused to assent to certain Acts of the British Parliament, which are necessary for the good of the Colonies.

at page 516, I did testify as follows, -

"I first learned definitely in regard to the money I was to receive in the Trolley matter in a conversation with Gallagher and at 22th and Valencia Streets in which he told me that he thought there would be twelve thousand dollars in it, and that there was some odd money to cut up and he thought that possibly there would be twelve thousand dollars that I would receive. I cannot recall the date. Well was it not long after the introduction of the ordinance and passage? A. Yes sir." (2516-2517)

Yes sir, that was true, there was some odd money that was going to be cut up. This odd money was that there was some other political matters that had to be attended to and then the amounts were after that divided with, distributed among the Board. - - - (2517)  
I do not know what became of that odd money that was to be cut up. - - - - - (2517)

When I refresh my memory as to the date this trolley matter was passed to print, I did go to Hemlock and Carey and tell them afterwards that the amount Gallagher told them was right, and I may have done the same with Longman, but I don't recall the conversation with him.

It is not true that I was the handy man of Gallagher as that Board and the way that passed the word around to the members at his request. I looked upon it as doing a favor for him. - - - - - (2529)

It is a very common mistake to suppose that the only way to get the most out of a book is to read it straight through from beginning to end. This is not necessarily the best method. It is often better to read a book in a more haphazard way, jumping from one chapter to another, or even from one page to another. This allows you to get a better sense of the overall structure of the book, and to see how the different parts fit together. It also allows you to focus on the parts of the book that interest you most, and to skip the parts that you find less interesting. This is a more flexible and efficient way to read a book, and it can help you to get more out of it.

The first step in reading a book is to choose the right book. There are many books out there, and it can be difficult to choose the right one. You should choose a book that interests you, and that you think you will enjoy reading. You should also choose a book that is written by a good author, and that is well known and respected. This will help you to get the most out of your reading experience.

Once you have chosen a book, the next step is to read it. There are many ways to read a book, and you should choose the one that works best for you. You can read a book straight through, or you can read it in a more haphazard way. You can also read a book in a more focused way, focusing on a specific part of the book. The important thing is to read the book in a way that works for you, and that allows you to get the most out of it.

After you have read a book, the next step is to think about it. This is a very important step, and it is often the one that is most neglected. You should think about the book in a number of ways. You should think about the main ideas of the book, and how they relate to the world around you. You should also think about the author's style, and how it affects the way you read the book. Finally, you should think about the book's impact on you, and how it has changed your thinking or your feelings. This is a very important step, and it is the one that will help you to get the most out of your reading experience.

There are many other ways to read a book, and you should experiment with different ways to see what works best for you. The important thing is to read the book in a way that allows you to get the most out of it, and that helps you to grow as a person. Reading is a very important part of our lives, and it is one of the best ways to learn and to grow. So, let's read more books, and let's get the most out of them.

THE END

Q. Whatever it was you might now call it, it was passing word around that there was money in these things and it was all right to go and vote for it, and at times what the amount was. That is true, is it not? A. That condition develops at the trolley, but never before. Q. But before the trolley matter, commencing a way back in February, when you went down to see Auef, that developed it, did it not? A. Yes. Q. And from that time on you were the man of call to confirm what Gallagher said to the different members of the Board? A. There was nothing came up from that time, only the trolley. Q. If there had been, it was understood you would, isn't that right? A. Yes, sir. Q. And when the trolley matter came on you did? A. Yes sir. - - - - - (252a)

I did testify at the third Ford trial, at page 498 as follows, -

"The date of that first conversation was about the 1st of May, 1906 and was at the corner of Grove and Laguna streets and Gallagher came up in an automobile and asked me to talk with the members of the Board and see how they felt regarding the proposed trolley, that Mr. Auef had asked him to find out from the members of the Board how they stood in the matter. And I told him that I would talk with the members, and I talked to a number of them and reported to Gallagher the following day, I think, that it would be all right. He said he would let

the first of the year 1774, the city of Boston was in a state of great excitement. The people were determined to resist the measures of the British government, and they were prepared to do so at any cost. The British government, on the other hand, was determined to maintain its authority, and it was prepared to use force if necessary. The result was a series of events that culminated in the Battle of Boston on March 17, 1774. The British evacuated the city, and the people celebrated their victory. This was a significant event in the history of the city, and it marked the beginning of the American Revolution.

THE HISTORY OF THE CITY OF BOSTON

THE HISTORY OF THE CITY OF BOSTON



"I don't know about the matter, and up to that time there was no talk about money.  
 "Q. Did you have any conversation with Gallagher in which money was spoken of before the matter came up on the Board? A. Well, I think it was the day the ordinance was passed to print. Before the Board met, some of the members told me there would be four thousand dollars in it, and some eight thousand dollars, and then I saw Gallagher later and he told me it would be four thousand dollars to the members, but I was to get more. He said there would be some old money, and he did not know just the exact amount I would get, but it was ten thousand dollars or twelve thousand dollars, - it was not definite what I would receive.  
 "A few days before the 10th of May and prior to the passage to print, I had a conversation with Gallagher as to my action upon the introduction of the bill or ordinance in the Board.  
 - - - - -

(2461)

It is true that I talked to a number of the members of the Board before I reported back to Gallagher. It took two to pass the bill and I talked to more than enough to pass it. I felt the general sentiment on it. I did not find a dissenting voice, for they all seemed favorable. - - - - -

(2462)

I did testify in the Ford Ford trial, at page 321, as follows, -

"Q. Didn't you testify here a few moments ago that according to your understanding, you were indicted before it was known you intended to testify at the first Ford trial that you did not mention money to the members in the talks that you had with them? A. Well, because as I say I told you, never and testified



"all along that I had spoken to the Supervisors  
"regarding money, which is the truth, but when  
"the matter was first spoken of, when I first  
"talked to members of the Board regarding the trol-  
"ley matter there was no mention of any money,  
"and that is what I meant to state in the  
"first Ford trial." - - - - - (2468)

Then I stated that I had not talked to the  
members of the Board on money matters I had in mind  
when I first talked regarding the trolley. - - - - - (2468)

I did testify in the third Ford trial, at page 529  
as follows:

"When the question of money, the mention of  
"money came up between you and the members of the  
"Board, I understand it did relate to a conversa-  
"tion among different members of the Board that  
"you say you heard, or were present at, in which  
"some said eight thousand and some said four  
"thousand, and there seemed to be uncertainty  
"in the matter, and they appealed to you, and  
"said, 'Whatever Mr. Gallagher says, I don't know  
"anything about it?' A. 'Well with Mr. Purcy  
"and Max Kasklock I always discussed the money  
"matters on the Board more than I did with any  
"one else. I think I talked money matters on all  
"these propositions.'" - - - - - (2469)

On all these matters after we had this conversation at the  
Cyster Reef, after the trolley matter -- after the  
telephone matter -- I always discussed it with Purcy  
and Kasklock. - - - - - (2469)

I did testify at page 535, at the third Ford trial

"All right, I'll do it," he said, and he  
went to the door and opened it.  
The woman who had been waiting for him  
came in and he saw that she was  
very much surprised to see him.  
"What is it?" he asked, and she  
said, "I'm sorry, but I can't  
do it."

He was very much surprised to see her  
and he said, "I'm sorry, but I can't  
do it."

I am sorry to see you, but I am  
not sorry to see you.

He was very much surprised to see her  
and he said, "I'm sorry, but I can't  
do it."

He was very much surprised to see her  
and he said, "I'm sorry, but I can't  
do it."

He was very much surprised to see her  
and he said, "I'm sorry, but I can't  
do it."

as follows, -

"Q. Had there, between the time of the conversation with Mr. Gallagher in front of Cantner's, up to the time when the measure came up, when this conversation was had in the Board room amongst the members, I say had there in the meantime been any mention made by you to members of that Board about money in this matter? A. The particular sum of money. Any mention of money. Q. Oh, there was a general understanding that there would be something coming through." - - - - - (B469)

There was a talk that there would be something but that was done among the ones I talked to and I did not talk to all of them. - - - - - (B470)

I did testify at page 351 of the third Ford trial, as follows, -

"Q. That is what you meant in your testimony when you stated that you had not at that meeting talked about the matter except -- you had not talked definitely as to the amount? A. No, sir, - when I first talked with them there was no amount, but on this day, the 14th, the day it was passed, the exact amount was settled. The negotiations, as I understood it, had been completed as to the amount for each member of the Board of Supervisors." - - - - - (B471)

I did testify immediately following the foregoing as follows, -

"Q. Now, prior to May 14th, had you any conversation with any of the members of the Board of Supervisors other than Mr. Gallagher concerning money in connection with the trolley application? A. Well, your Honor, there was a general understanding there would be something in it, but as to the exact amount, or what it





"would be, that never was settled until the  
"day it was passed to print. There was  
"no conversation other than a general under-  
"standing that there would be something coming  
"through on the trolley matter." - - - - - (2470)

The day the amount was definitely settled is the  
was on the 14th of May. - - - - - (2471)

I did testify on the first Ford trial, Vol. 2,  
page 332 as follows:

"I was present at the time the ordinance was  
"passed to print and voted on it. I understood at  
"that time it applied to the full term of the  
"franchise. I never saw the ordinance. I did  
"not introduce it to my recollection. I don't  
"remember anybody asking me to introduce it." - - (2472)

I so testified, but it was not correct. - - - - - (2473)

THE UNITED STATES OF AMERICA  
DO hereby certify that the within and  
understanding is a true and correct copy  
of the original as the same appears in the  
records of the Department of the Interior.

IN WITNESS WHEREOF, the Secretary of the Interior  
has hereunto set his hand and the seal of the  
Department at Washington, D. C., this 1st day of

January, 1905.

Very truly yours,  
Secretary of the Interior.

THE SECRETARY OF THE INTERIOR  
DO hereby certify that the within and  
understanding is a true and correct copy  
of the original as the same appears in the  
records of the Department of the Interior.

IN WITNESS WHEREOF, the Secretary of the Interior  
has hereunto set his hand and the seal of the  
Department at Washington, D. C., this 1st day of

I was at a car barn shortly after the fire of 1906. I was invited to dine at the car barn. I met there Calhoun, Borton, Chief and the manager of the Eastern Union Telegraph Company, and Mr. Gallagher.- (2407-4)

I might have gone to two lunches at the car barn, but I think it was just one. The provisions we were given were in a private car. There were not a great many people eating where we were eating. There might have been in that car barn, but I didn't notice. Probably there were.- - - - - (2449)

I did testify in the Grand Jury that I took lunch at the car house probably two or three times.- - - - - (2450)

When I was telling the boys that whatever Gallagher said was all right, I did not let the boys know I was going to get ten thousand dollars when they told me that it was only four thousand. The reason I did not was that that was a matter between Chief and Gallagher.- - - - - (2451)

Before the trolley matter was introduced before the Board I was in favor of it. In fact, I circulated a petition in favor of the trolley system in San Francisco long before. I always favored the trolley system in

It was a very small room, but it was  
the only one that was not empty. I  
was the only one who was not empty.  
I was the only one who was not empty.

I was the only one who was not empty.  
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I was the only one who was not empty.  
I was the only one who was not empty.



I would have voted for the trolley system in any event unless I was told not to by Ruef. - - - - (2447-0)

When I was a boy in Chicago we used to fight with snow ball forts, and sometimes I was taken captive, and when you were taken a captive you had to make ammunition for the other side, and it was never a case with me of off with the old love and on with the new. When I was taken a captive I had heartstrings and feelings for old associates and I didn't like to make that ammunition so that it would be effective; it would go to pieces, the snow ball in the air, but when the other side would put stones in the snowballs and the boys get hurt very badly, I would ask for a position on the firing line and go in and take my position and I always felt when Mr. Mezey asked me any questions in these matters I would answer them truthfully, but I never volunteered any statements. I remained neutral and when I saw the fight develop along honorable lines, I felt it would be my duty to go and supply the District Attorney's office with any information I had in the matter. I did so and they never asked me at any time to commit perjury, and they never asked me to go on the stand or make statements that were not in accordance with the facts. - - - - - (2325-26)

Yet it is true, is it not, Mr. Wilson, that you



did volunteer a lot of new matter which you have never testified to before, is it not? A. As I say, I refreshed my memory, tried to get instances, and for days have been for weeks going over the matter with anything that would assist me. - - - - - (2527)

I did have a conversation with a lawyer named Richardson before I was called in the third Ford case, and I told him of what I had already testified to. Where I had contradicted myself. I told him I was satisfied I had contradicted myself in the case and that I had at five thirty the night that happened telephoned to Meney and I went over the matters that were involved in that case and also brought up some other matters with him. I discussed the matters with him in a general way. I don't know who Richardson was going to see in the matter, whether he went to see Cobb, Meney or Langdon. I think he reported to me that Meney was in Oregon and he said he had seen Cobb, and he would like to file an affidavit in the Court that my testimony was wrong on that first Ford trial.

Q. Did you not go through with Mr. Richardson before he went over there all the details in relation to the prize fight matter and the Gas matter, and the Wrolley matter and the telephone matter and all of them in

the following is a list of the names of the persons who  
were present at the meeting held on the 1st of January  
1900, at the residence of Mr. J. H. Smith, at  
No. 100 North Main Street, St. Paul, Minn.  
The names of the persons who were present are as follows:

1. Mr. J. H. Smith, President of the Board of  
Directors of the St. Paul & Northern Pacific  
Railroad Company.  
2. Mr. W. H. Smith, Vice-President of the Board of  
Directors of the St. Paul & Northern Pacific  
Railroad Company.  
3. Mr. J. H. Smith, Secretary of the Board of  
Directors of the St. Paul & Northern Pacific  
Railroad Company.  
4. Mr. J. H. Smith, Treasurer of the Board of  
Directors of the St. Paul & Northern Pacific  
Railroad Company.  
5. Mr. J. H. Smith, Chairman of the Committee  
on Finance of the Board of Directors of the  
St. Paul & Northern Pacific Railroad Company.  
6. Mr. J. H. Smith, Chairman of the Committee  
on General Affairs of the Board of Directors of  
the St. Paul & Northern Pacific Railroad Company.  
7. Mr. J. H. Smith, Chairman of the Committee  
on Legal Affairs of the Board of Directors of  
the St. Paul & Northern Pacific Railroad Company.  
8. Mr. J. H. Smith, Chairman of the Committee  
on Engineering of the Board of Directors of  
the St. Paul & Northern Pacific Railroad Company.  
9. Mr. J. H. Smith, Chairman of the Committee  
on Transportation of the Board of Directors of  
the St. Paul & Northern Pacific Railroad Company.  
10. Mr. J. H. Smith, Chairman of the Committee  
on Miscellaneous Affairs of the Board of Directors  
of the St. Paul & Northern Pacific Railroad Company.

The names of the persons who were present at the  
meeting held on the 1st of January 1900, at the  
residence of Mr. J. H. Smith, at No. 100 North  
Main Street, St. Paul, Minn., are as follows:

advance of Mr. Money, go to Cobb or anybody connected with the prosecution for you? Q. I discussed the matters same with Mr. Richardson, I don't know that I went all over the details. He only made some notes that he wanted. I don't know that I went into details in all the cases. I gave him some of the particulars in the matter. I don't know what details I gave him. Mr. Richardson did tell me he had been over and had a talk with them but he could not get any line on the matter at all, and that he did not know what they would do in the matter.

I did testify in the Parkside case as follows:

Q. Did you sign any such paper for Richardson?  
A. No sir, he simply took down and made notes of what I said. I do not know that he gave him the paper. I don't know that he ever gave Cobb the paper. He said 'I am going to have a talk with Cobb about it because you contra-dicted your testimony in this first Park trial' and he said 'I want you to give me a full statement so that I can see it.' I don't know that he gave that to Cobb.  
Q. I went over the prize fight matter with Richardson three or four days after I was indicted and in detail and told him everything I knew and everything I would testify and he took it in writing.

Q. You told Mr. Richardson about gas rates?  
A. I told him everything -- (Intg.) Q. Answer my question. Did you? A. Yes sir, everything I know, everything I would testify to.  
Q. I told him about telephone everything I know and everything I would testify to. I told him about my visit down to see Mr. Halsey. I told him everything I knew about United trolley and May Cities Trolley Company and Parkside and everything I knew and would testify to.





"He said I am satisfied you are telling me the truth and I will see into the matter and see if I can get them to suspend judgment in the matter and not to take action in the matter at the present time."

(2437 to 2442)

I did testify in the First Ward trial as follows:

"... And subsequently they also prepared a statement of what your testimony would be and what you think was handed to Mr. Cobb. A. My attorney went over the full facts in the matter and he told me he was satisfied that the District Attorney's office would do what was right. That they had no intention of breaking their agreement if I told the full truth; that there was some mistake as for me to give a statement of all the facts in the matter and he would give it to Cobb, and if at any time I was called on to testify I'd go ahead and testify, that he was satisfied. Q. And you are now testifying in the hope that peace has been restored once more and reward obtained under the sheltering wing of that immunity contract, are you not? A. No sir, I have no understanding regarding it whatever. Q. I am not asking as to your understanding, but your hope. A. I believe when the time comes that if the District Attorney feels that I have come here to tell the truth and nothing but the truth, I think he will take that into consideration. Yes sir."

(2443)

I saw Mr. Burns before I was indicted and told him my condition the day I was on the stand, and he said he was not present when I gave my testimony. - - -

(2437)

There is no doubt I did state to a Chronicle reporter that I went to see Burns to explain myself. I went



to Burns before I was indicted and told him I knew my  
testimony was not correct. - - - - - (240)

It is the duty of the State to protect the rights of its citizens.

and to maintain the peace and order of the State.

and to promote the welfare of its people.

and to secure the happiness of its subjects.

and to preserve the integrity of its territory.

and to defend its honor and its interests.

and to maintain the unity of its people.

and to promote the progress of its civilization.

and to secure the prosperity of its commerce.

and to maintain the purity of its morals.

and to preserve the sanctity of its laws.

and to defend its rights against all enemies.

and to promote the happiness of its people.

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and to promote the happiness of its people.

and to maintain the peace and order of the State.

and to protect the rights of its citizens.

and to maintain the unity of its people.



I had never given Walsh any money as a supervisor nor made him any offer, nor had I ever given any money to Lonergan. - - - - - (2187)

I never swore in my life that I did not make Lonergan any offer. - - - - - (2187)

I testified that I could not remember that I had ever offered Lonergan any money. - - - - - (2188)

I never gave any supervisor any money and I never made Boston any offer of money. - - - - - (2188-7)

I don't recollect that I ever made Lonergan any offer. - - - - - (2187)

I may have done so but I don't recollect it. - - (2187)

I have sworn that I never promised him any money. (2188)

I had always discussed money with Furey and MaxLock. I had not exactly made them offers in these various matters but had corroborated the statements by Gallagher, not in the trolley, telephone, gas and prize fight matters. In the first matters you speak

I have been thinking about you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I always find time to think of my friends.

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of there was no understanding that I was to discuss any matters with the Board. It developed later on. In these matters I did not make a promise of money.

(2197)

I did not in the prize fight matter nor in the gas matter. - - - - -

(2199)

I never mentioned any money matters with Huef, it was enough that it was his programme. If he arranged any money matters it was satisfactory. - - - - -

(2205)

I would have voted on anything and everything irrespective of money simply because Huef asked me to and it did not require any bribery by him to get me to vote the way Huef wanted. - - - - -

(2208)

I was pretty intimate with Huef and he did not hesitate to talk to me about these matters at all, nor I to him. I always was trying and working to keep these matters from the public as much as possible and consulted with him on them. If I felt it was necessary I went and talked with him. At first I was reticent about talking openly with him about these matters, but we became more intimate in discussing the matters after the fire, but before the fire I



held back a little.- - - - -

(2181-8)

I never had any rupture with Huef and I was very close and intimate with him; the conditions brought that about. We frequently dined together. - - - - -

(2182)

Huef or the Mayor said at the caucus on the telephone matter that the Board was at the dividing of the ways and that it was a time to stand by the administration.- - - - -

(2239)





Q. In that conversation with Furey and Maclock in which you were delegated to go and see Muef about the different moneys, and so forth, did Furey and Maclock speak openly with you about these moneys?

A. No, I don't think the conversation was open; that is, we did not say "well, there is five thousand dollars," or mentioned money matters; that was not the way the matters were talked about as I remember it. It was to get information. \* \* \* I had already had my five thousand dollars from Halsey, when I had that talk with Furey and Maclock. As to your question, did I disclose to those men Furey and Maclock there in that conversation with them that I had my five thousand dollars from Halsey I say that they knew it; and I would not be positive about whether they disclosed to me what they had gotten and I don't think we went into details about the other members.

Q. Was there anything said about the other members on that Board at all? A. I cannot recall that conversation. Q. Did they claim to be calling you there simply on their own account, because they doubted Gallagher, or for the members of the Board?

A. No, as I understood it they represented other factions, or had been talking with others on the Board. That was simply an impression. I don't



know as they talked that, but I got the idea.-- - - (2350-81)

After that telephone talk, that Murey talk, the lunch talk about the Board, I did go and see Murey and tell him that some of the Board had asked me to come and see him, and that there was some dissatisfaction on the Board regarding money matters. - - - - - (2455)

I testified in the Parkside case, at page 12, as follows:

"Q. Did you have any talk with Mr. Murey at the request of any of the members of the Board in relation to money? A. Yes sir.

"Q. Who were the members of the Board you spoke to about it? A. The members who approached me in the matter finally were Murey and Harlock, and they asked me to have lunch with them in the Oyster Reef, and they said the Board had asked them to speak to me about seeing Murey; there was a good deal of dissatisfaction in the telephone matter, and they wanted me to have a talk with Murey about it. They did not understand why the Pacific States were paying them seventy-five hundred dollars and ten thousand dollars and they

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"were only to get thirty-five hundred dollars on  
"the Home proposition."

Yes, that is true in this way; that is my impression that they represented others on the Board that they were acting, they had been talking with others regarding the matter. The answer is an error where it says that I said "They said the Board had asked them to speak to me". I didn't know that that was so important when I used the word "Board". I meant some men on the Board they were representing. I did not for a minute think they were representing the whole Board of Supervisors. I might have used that language. I cannot remember just all the words I used all the time. I don't think they named the members of the Board they said they represented. I simply got an impression of that kind. They did tell me at that interview that there was a good deal of dissatisfaction in the telephone matter, and they could not understand why it was the Pacific States were paying them from seven thousand five hundred dollars to ten thousand dollars, and they were only going to get thirty-five hundred dollars out of the Home.- (2331 to 2363)

I did testify in the Parkside matter on May 15  
1908, as follows:

THESE ARE THE FIRST TWO VOLUMES OF THE

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"Q. And you went to Huef as I understand you after a  
"talk with Lawlock, Furey and yourself, isn't that  
"right? A. Yes sir. Q. Before that time had you,  
"Lawlock, Furey, Phillips, Coleman, or any of the  
"Supervisors talked about any of these money matters?  
A. Talked any to Huef? Q. Yes. A. I think so,  
"yes. Q. All of them? A. About all of them,  
"yes. Q. You testify that Nicholas and Lawlock  
"and Furey and Jennings Phillips and Coleman and  
"Sanderson and Kelly and Coffey and yourself talked  
"about these money matters? A. No sir. Q. Who did  
"I leave out? A. I don't think there was any  
"general talk at that time among the Board. Sanderson  
"was the first one to talk to me openly that way and  
"it was this telephone matter that brought the whole  
"matter in the Board, and then Furey and Lawlock  
"was representing others, and they talked too.  
"I don't remember which one of them. Some of them  
"talked to Coffey and Leacorgan, and then they talked  
"with Phillips and Nicholas and the others. Q. Did  
"they so tell you? A. Yes, then they told me to  
"see Huef. A. You talked with Furey and Lawlock  
"about all money matters? A. Generally. Q. That  
"included the prize fight, the Parkside and the Gas



"and Telephone and everything else. Q. Yes.

"A. About what was coming through, and about what

"was to be done, and so forth. A. Yes. Q. And

"you distributed the news as to what was coming

"through to the supervisors, or some of them, and

"then they told it to other supervisors, I suppose?

"A. Yes." - - - - - (2593-4)





In the latter part of 1971, I received a nomination for supervisor from the Union Labor Party, and was elected in November. I secured that nomination from Mr. Leane, at that time secretary of the Mayor. - - - - - (1972-3)

Between my election and induction into office, I met the other supervisors who had been elected on the same ticket. - - - - - (1973)

The entire Board met in caucus about a week after election in the Mayor's office; Ruef, Leane and the Mayor were also there. - - - - - (1974)

Between our election and induction possibly there or four caucuses were held. The Mayor presided at all when present. - - - - - (1974)

Ruef attended each caucus. - - - - - (1975)

The committees were appointed at the first caucus. - (1975)

I was not consulted as to the committees; I do not know if the other members were. - - - - - (1976)

The committees on which I was appointed were: I

1. The first part of the report is devoted to a general  
description of the situation in the country and the  
main results of the work done during the year.  
2. The second part contains a detailed account of the  
work done in the various departments of the  
Institute, and of the results obtained.  
3. The third part is devoted to a summary of the  
work done in the various departments of the  
Institute, and of the results obtained.  
4. The fourth part contains a summary of the  
work done in the various departments of the  
Institute, and of the results obtained.  
5. The fifth part contains a summary of the  
work done in the various departments of the  
Institute, and of the results obtained.  
6. The sixth part contains a summary of the  
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work done in the various departments of the  
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8. The eighth part contains a summary of the  
work done in the various departments of the  
Institute, and of the results obtained.  
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work done in the various departments of the  
Institute, and of the results obtained.  
10. The tenth part contains a summary of the  
work done in the various departments of the  
Institute, and of the results obtained.

was chairman of the Charter Amendments, and Wharves and Water Front; I was a member of the Hospital & Health Committee, and the Judiciary.

When the names were first read off at the caucus of the various committees, there was a discussion among the members and Mr. Lucif was present. That discussion was that Norton objected to not being made chairman of the Public Utilities, of which Davis was chairman, and after some discussion Norton was made chairman. That was the only discussion I recall, and that was when the matter was first submitted. - - - - - (1977-8)

It was decided at the first caucus to hold caucuses every Tuesday night to discuss matters that would come before the board on Monday morning. Lucif was present at that first caucus and at all the caucuses. - - - (1977)

From the time I was elected until I was inducted into office I do not recall that there was anybody connected with Lucif talked to me about there being money in it, or that I would be paid money, or asked me whether I would be willing to stand in and cut up the money. 2. Didn't tell anyone. 3. I don't recollect it. (2142)





Q. Did Gallagher tell you before you were inducted into office that he was going to be the leader in the Board, Thurf's representative, that there would be some Seals coming up and he would treat you fairly in the matter with the rest of the boys? A. I don't know that he said me that; it was generally assumed that he would be the leader. Q. I am asking you whether you had any talk with him about that, or about money or about fair dealing or standing in? A. I cannot recall it - - I have nothing - - I told Gallagher regarding a conversation I had with Thurf, that he did not want any grafting on the municipality. Q. You told that to Gallagher? A. Yes sir, and he said "Gee, this money comes from Mr. Thurf, this is from Mr. Thurf". - - - (Sigs)

Before I was inducted into office I had dinner once or twice with Halsey. Krenner was introduced to me by Swelley and then he introduced Halsey and he asked me to lunch. Before I was inducted into office someone I think was the one who said that they would like it if I got on the Public Utilities Committee. - - - (Sigs)

The way the conversation came up was, I told Thurf about the Pacific States Telephone people wanting to give me a free telephone and what I did not want to



place myself under obligations to corporations, and he said "that is right; I don't want any of that petty grafting and I look to some of the men like you to let me know if there is anything of that kind going on, any petty graft or any graft on the municipality."

Wepolies and these is what I inferred. - - - - - (2144)

I told him I was glad to know that we were going to make a good honest administration. - - - - - (2144)

I don't know that Huef used the word municipality in that statement, but that is my recollection. That was in the month of November shortly after election. (2145)

I don't think I ever met Gallagher to talk with about any matters before I met Huef and that was when I met Huef. - - - - - (2145)

Huef did say to me that he would look to men like me on the board to keep matters straight. - - - - - (2146)

and I am sure that before Huef Gallagher did not meet me upon Market street and say to me that he was going to represent Huef on the board and that there would be deals and matters of that kind come up and that he would treat me fairly and asked me to stand in and

1. The first part of the report is devoted to a general  
description of the project and its objectives. It is  
followed by a detailed account of the work done during  
the year, and a summary of the results obtained.  
The report is divided into three main sections: a  
general introduction, a description of the work done,  
and a summary of the results.

2. The second part of the report is devoted to a  
detailed description of the work done during the year.  
It is divided into three main sections: a description  
of the work done, a summary of the results, and a  
conclusion.

3. The third part of the report is devoted to a  
summary of the results obtained during the year. It  
is divided into three main sections: a summary of the  
results, a conclusion, and a list of references.

4. The fourth part of the report is devoted to a  
conclusion and a list of references. It is divided into  
three main sections: a conclusion, a list of references,  
and a list of acknowledgments.

5. The fifth part of the report is devoted to a  
list of acknowledgments. It is divided into three main  
sections: a list of acknowledgments, a list of references,  
and a list of acknowledgments.

6. The sixth part of the report is devoted to a  
list of references. It is divided into three main  
sections: a list of references, a list of acknowledgments,  
and a list of references.

that I said all right. - - - - - (2131)

now do I recollect that he did such a thing between the  
time I was elected and the time I was inducted into  
office on January 8th, 1908. - - - - - (2132)

and if I had that conversation with Gallagher I did not  
report it to me. - - - - - (2133)

Q. Did Mr. Tuel in that conversation say to you,  
"I don't want any petty grafting of that kind?"

A. Well, he didn't want any grafting on the municipality.

Q. What did you put in the word "petty" before that?

A. Well, that is my recollection of it.

I could not be positive but my recollection is "petty  
grafting", the telephone matter, that I did not want  
to place myself under obligations. It is my recollec-  
tion that Tuel used the word "petty". - - - - - (2144-5)

I had never met Dr. Tuel before that conversa-  
tion on grafting on the municipality, but I had met  
Dr. Gallagher. - - - - - (2145)

I met Judge Conley in the city-room one day and  
he asked me if I was waiting to see Tuel, and he said,



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"I will tell Huef you are waiting", and you, Mr. Ash, were sitting at Mr. Huef's signal when I came in, and you introduced me to Huef, and I do not recall that I had ever met Huef before that. - - - - - (2145)

It was at the time of my first introduction to Huef which I have just explained, that I told him about the Telephone Company coming down and wanting to put in a phone for me, and it was at the same time he told me about not wanting any petty grafting, etc. - - - (2147)

Q. And when he spoke of grafting and you thought he referred to petty grafting for instance the Telephone Company putting in a phone for nothing, is that right?

A. Well, I am not very clear on that, Mr. Ash, I wouldn't want to state positively. Q. Had did not he tell you too, that if he caught anybody grafting on that Board that he would prosecute them. A. Yes sir.

Q. Why did you omit that from your statement? Had you forgotten it? A. Yes sir. - - - - - (2149)

Q. Did you tell Mr. Sullivan, Mr. Dwyer and Mr. Sears, if he was present, and Mr. Johnson, if he was present, the other day, that Mr. Huef, when he first met you, told you he wanted you to report any grafting by that Board, and that he would prosecute them? A. Yes sir. - - - - - (2150-51)

It will tell you how much you have  
done during the last year, and how much  
you have to do in the next year.  
I have many things to do in the next year.

It will tell you how much you have  
done during the last year, and how much  
you have to do in the next year.  
I have many things to do in the next year.

It will tell you how much you have  
done during the last year, and how much  
you have to do in the next year.  
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done during the last year, and how much  
you have to do in the next year.  
I have many things to do in the next year.

The reason I did not go and tell Huef I got \$500. in the prize fight matter is much as he had spoken to me about grafting was because the Parkside matter followed close on the prize fight matter and I had had a talk with Man-terona who told me he had kicked to Huef about Gallagher taking out his \$5. commission. - - - - - (2211)

It was about the middle of January that Huef told me to kick in and hold up Parkside and compel these people to come and see him and that the Parkside and Ocean Shore matters were worth a million dollars, and by that I understood he was to get some money and cut it up with the boys, and I operated on that plan ever afterwards. - - - - - (2214)

I did testify at the first Glass trial that Wilsey telephoned me and made an appointment to have lunch at Cecilia Tavern about two or three days before I took my seat as a supervisor, and that at that luncheon he said he was very anxious that I should get on the Public Utility Committee, and that they wanted some men on the Board to be friendly to their company, and I told him I understood it was the policy of the administration to be friendly with the company, and there would be no trouble about my friendship. And these

My dear friend, I have just received your letter of the 10th inst. and am  
glad to hear from you. I am well and hope these few lines will find you  
the same. I am sorry to hear that you are not well. I hope you will  
soon be better. I am sure you will. I am sure you will. I am sure you will.

I am sure you will. I am sure you will. I am sure you will. I am sure you will.  
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are the facts. - - - - -

(2275)

I was going to say that as between Krauss and Halsey, the conversations between one or the other, it is quite possible that I might have made an error in that, in quoting a conversation that Krauss had with me, or a conversation that Halsey had with me, it was from either one or the other, the conversation that they wanted me on the Public Utilities Committee.- -

(2276)

I also testified at the first Ford trial, as follows:

"Q. Well, what do you mean by being loyal to the

"Administration, in taking money from anybody con-

"tact from Gallagher? A. That was not the

"policy. Q. That was the trouble in the Board?"

"A. I want to answer that question, Mr. Williams.

"Mr. Rogers, all right. Q. The proposition of being

"loyal. Mr. Ruef told me that he never wanted

"any graft of any kind on the municipality of San

"Francisco, and that he felt that I was of the

"same opinion, that I would not take any graft,

"and if I heard of any graft on the Board I was

"to let him know and he would prosecute any one

"that he knew of taking any money from the city

"of San Francisco."- - - - -

(22804)



I cannot recall any talks with anybody about immunity before the Gladstone statement. The first time I talked with anybody about immunity for myself was with Mr. Gallagher, at the Board of Supervisors. I had three or four talks with Gallagher about it and they were all at the rooms of the Board. The first talk was a few days before we went up to the Gladstone, and it was in March. The Board of Supervisors were present when he was talking about it, not all of them. Those who were absent were Luffer, Red and Longier, and at the first meeting I think Walsh was absent. - (2192-90)

It was at the rooms of the Board that Gallagher first talked to me about immunity. That seat was by his sister for Gallagher and me to sit on the lid, and some of the supervisors had been seen going to the prosecution. Gallagher said the lid was getting a little warm and he thought he would go and get in touch with the prosecution and find out what he could on the other side, and I thought it would be a good idea. He did not tell me at that time who he was going to see. The following day he reported that he had got in touch with the prosecution, that was at the rooms of the Board, and I believe that no one was present but me and Gallagher.- - - - - (2192-3)



Mr. Ruef's sister called over at the board and told Gallagher and myself that some of the supervisors had been seen going around the prosecution's office and to sit on the lid. I don't say she used that term, but that is the idea. The term is possibly my own coinage.- - - - -

(2439)

Q. So you and Gallagher formed this little plot to go out and get into line with the prosecution in advance of calling the members together. Is that right? A. No sir. Horton came and reported that some of the supervisors had made a statement to the prosecution and that he was going to make one or had made one, but he wanted to talk to Gallagher before he did so, that he, as I understood it, had asked that privilege from the prosecution to talk with Gallagher on the matter.

Q. You have already told us that you and Gallagher were present and had a talk and that the lid getting a little warm, you agreed with him and he told you he was going to feel out the prosecution.

A. Yes sir. Then he went away and came back and met me and I think just Gallagher and myself were there though his brother Tim was here then and Gallagher and I had a talk in which he stated he had had an interview with Speechley and then he out-





lined the proposition and that [unclear] was going to place it before the District Attorney and in the meantime that Gallagher was to get the Board together and place the matter before the Board, and if the Board decided to accept the proposition and the District Attorney concurred with [unclear] in the matter, and Gallagher called the Board together in camera and told the Board the whole situation. I have never made this statement before. Gallagher then stated that some of the supervisors had made statements to the prosecution and that it was a serious situation, and he did not feel altogether responsible for it, and that he was willing to do whatever the supervisors decided upon, and that if they thought it best for him to stand up and sacrifice himself he was willing to allow the matter to rest in their hands. [unclear] was present and talked to the boys and I also discussed the matter. I remember some of the Board were not there at that time. Cuffey and Wilson and Lea and some one else were not there, - I think all the rest were present. - - - - - (E193 to E196)

There was several caucuses on the Board to discuss immunity before the [unclear] statement, and I attended those caucuses. There were three or four of them. I had heard that some of the supervisors had



been trapped by Burns. - - - - - (2497 - 9)

So far as I know there was no arrangement made that the supervisors were to retain their terms of office as part of that immunity contract. - - - - - (2500)

Gallagher and I did have a talk about my retaining my office as railroad commissioner, and he said that he thought I would probably stay in my office. - - - - - (2501)

Some of the supervisors asked if they would have to return the money. - - - - - (2502)

At the time of this immunity proposition Gallagher said there was nothing stated about the matter of my retaining my position as railroad commissioner, but that it would be possible or probable that I could retain it. - - - - - (2503)

I received five hundred dollars in the Frise Fight Trust matter, seven hundred and fifty in the Lee, thirty five hundred from Gallagher in the Telephone matter, five thousand from Gallagher in the Telephone matter and a promise from Gallagher of twenty-five hundred or five thousand more, and ten thousand in the Traylor matter, and there was nothing said about whether I should be permitted to retain or whether

The first of these is the fact that the American Medical Association has been successful in securing the passage of the Pure Food and Drug Act, which is a landmark in the history of the food and drug industry. This act is a landmark in the history of the food and drug industry.

The second of these is the fact that the American Medical Association has been successful in securing the passage of the National Pure Food and Drug Act, which is a landmark in the history of the food and drug industry. This act is a landmark in the history of the food and drug industry.

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The fifth of these is the fact that the American Medical Association has been successful in securing the passage of the National Pure Food and Drug Act, which is a landmark in the history of the food and drug industry. This act is a landmark in the history of the food and drug industry.



I should have to give back the money in any of these immunity contracts. - - - - - (2204)

The Board suggested that they try to get immunity for me. - - - - - (2205)

Lalagher reported that the proposition was that the prosecution said they wanted to get at the rest of it. - - - - - (2206)

I did not say it was definitely understood that the Board should retain their office until the end of their terms. There might be conditions come up that they would not retain their offices. - - - - - (2211)

I testified on Friday, May 15th, 1908, in the Paradise case as follows, -

Q. You lined up Mr. Gallagher with the prosecution?  
A. The whole Board went over to the prosecution.  
"The whole Board is trying to put Mr. Keef in jail, you sir." - - - - - (2230)

I did testify in the Paradise case as follows, -

Q. Don't you know that Jim Gallagher has been an intermediary between the prosecution and this case relative to your immunity (that is, before you were indicted)?  
A. He said he would try to do what he could for me, and I asked him to do that." - - - - - (2233)



Q. You went to Gallagher, however, after you were interrogated and asked him to intercede for you with the prosecution and Leroy, didn't you? A. I didn't think I went to him. He met me and I told him the facts in the case. Q. You told him to do what he could for you to get you out of that trouble, didn't you? A. I told him the conditions of the case, I didn't think I told him to go, because I had gone to Mr. Leroy before I went on in the Ford case and told him my condition, that I had just come out of a sick bed. I told him the facts in the matter.

Q. I did not ask you whether you told him the facts. I asked you whether you did not ask him to intercede with Mr. Leroy, Mr. Langdon, Mr. Huron and these people, the prosecution, for you as against these indicted. A. I probably did not use that language, but I told him that was the facts in the matter, and he probably did go and see them. I don't recall a conversation on the lines you speak of. No, I don't think I did have the conversation you mention at all. Gallagher never did tell me to go on and testify. He told me he would not get my line on it from the prosecution. He told me to go and consult my attorney, and he told me if they called me as a witness, the best thing for me to do was to testify and tell the truth. - - - - -

(2318-19)

2. The first is the *historical* aspect of the

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Q. Now when you went to the Gladstone you confessed to every crime that you had ever committed, didn't you as a supervisor? A. Yes sir.

Q. And you told Mr. Heney everything that you know, didn't you? A. No sir, Mr. Heney only asked me a few questions.

I did testify in the Parkside matter on Thursday, May 14, as follows, -

"Q. Now, you went in March x x x and told "Mr. Heney what you were and who you were, didn't "you? A. I don't know that he asked me "anything about my business. Q. And you confessed up to all these crimes that you had "committed? A. Yes. Q. And told him "everything that you know? A. Yes sir.  
"Q. You knew that that was the condition that "you were to tell the truth and the whole truth, "no matter who it involved, or how many people "it would involve, - isn't that right? A. Yes, "that is right." - - - - -

(2384-5)

I did not then (St. Francis Hotel visit to Huef) have a personal acquaintance with Rudolph Spreckels. I had met him in the Gladstone Apartments.

Q. You had talked with him had you not? A. Simply said how do you do or something like that.

Q. You got his advice too, didn't you, and he told you you were doing the best thing you could to go and tell all you knew? A. Yes, I talked with him about that. - - - - -

(2156)



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I do not recall the article you show me from the Chronicle of October 10, 1907, purporting to have emanated from me and entitled "Wilson wants to be a good dog again". I did not give that statement to the Chronicle reporter. I don't recall making any statement only the day after I was indicted to the newspaperman and the Examiner has my statement in the day after I was indicted. No doubt I did state to the Chronicle reporter that I went to see Burns and explain myself. I did go to Mr. Burns. I went to Burns before I was indicted and told him I knew my testimony was not correct. I did not tell the Chronicle reporter that I asked Burns to give me an opportunity to straighten out things if possible, nor that I was assured my wish would be granted. I told the Chronicle reporter that my testimony was not correct. I did not tell him that my memory had been refreshed. I might have read that Chronicle article. - - - - - (2400 to 2409)



We held our first caucus after our induction into office, the Sunday before the first meeting. - - - - (1930)

We met in caucus every Sunday night from our induction into office until the fire. They were all in the Mayor's office, and were attended by the Board, the Mayor and Ruef and Keane. The Mayor did not attend all of them. (1930-1)

The object of the caucuses was to discuss all bills before they would be considered in the Board, and at the caucuses held after our induction and up to the time of the fire resolutions, bills and ordinances were discussed and were presented for discussion. - - - - - (1931)

Of these bills, resolutions and ordinances discussed at caucus, Ruef presented a great many. I cannot state the number. He presented the Day Cities Water resolution. (1932)

At one of the caucuses after our induction and before the fire, Ruef said to me that he had drawn up an ordinance rescinding the action taken by the previous Board on the Hetch-Hetchy Water, and would like to present it. - - - - - (1934)





I presented that resolution and it was passed by the Board when I was present. It is my best recollection that all the Board were present and it was adopted unanimously. - - - - - (1985)

I don't remember at this time any other specific ordinance prepared and presented by Ruef to the caucus. - - - - - (1986)

I recall the Skating rink ordinance, which was after the fire. - - - - - (1986)

I attended every meeting of the Board from our induction up to the fire. - - - - - (1986)

No bill was acted upon by the Board without being considered at the Sunday night caucus. - - - - - (1987)

The part that Ruef took in the Sunday night caucus before the fire was Chief Counsel and adviser for the Board in the matters that were to be considered by the Board. - - - - - (1989)

He was not at that time employed by the Board or the city. (1989)

I think Ruef was present at every caucus after the fire. (1989)

I attended all of the caucuses after the fire. - - - (1990)



At these caucuses after the fire what Ruef did was  
to discuss the advisability of presenting any ordinance  
that might be brought in by a member. - - - - - (1990)

After the fire no bill, resolution or ordinance was  
adopted by the Board without prior action at a  
caucus.- - - - - (1990 to  
1992)

THE UNITED STATES OF AMERICA  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

WASH. D. C. 20500

TO: DIRECTOR, BUREAU OF LAND MANAGEMENT  
FROM: SAC, [illegible]  
SUBJECT: [illegible]

DATE: [illegible]  
BY: [illegible]

In the Parkside matter I went to the District Attorney's office and sat down in the room and read some of my testimony. - - - - - (2271)

The only person that I talked to about what I was going to testify to in this case is Mr. Sullivan. He and Johnson and Lwyer were present one Sunday and they asked me if I could recall any of the matters with Mr. Ruff and I gave them. I was with them about fifteen minutes. They did not have with them the testimony I had given in the other case when they were interrogating me, nor did I. I did not get it from them at that time. I only had the testimony in the Parkside matter. I got it about a week ago from Mr. Dahlman. I went up to the District Attorney's office and told him I would like to have my testimony in the Parkside matter, and he said I could look it over there, but not to take it away from the office, and I read over some of it there. I have not had it in my possession since. I never talked with Money, nor at the time the first Ford trial. When Ford was being tried O'Gara sent for me to come to the office with the other supervisors, and he asked the Board, one at a time about the evidence and he asked me. I never saw my testimony before I went on the stand in the Ford



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case and I never saw my testimony before I went on in the Parkside. I never read over any testimony until this last, and I didn't have it at all.

Q. And you didn't talk over with anybody what your testimony would be, either, did you? A. Well,

'Sara asked me about the matter and I told him.

That was at the time I tell you, at the Ford trial, some time last April or along there. I don't think I then told 'Sara everything I knew. I didn't omit anything intentionally. I didn't omit anything that I have testified here today inadvertently.

I have not testified to anything unless I am able to recall some incident to refresh my memory on the matter. If I left out anything in my conversation with 'Sara, it was inadvertent. It was not because I didn't remember it. In answer to your question why was it, I say I wouldn't testify to anything here on mere memory. I have to have some incident and everything I have testified here has been through some incident that I could satisfy myself that I was not depending on my memory, - it was a fact. Q. 'Sara simply put the question to me and I answered everything he asked me at that time, and if I have testified to anything here today that I did not tell 'Sara, it might be because I did not then remember it.



told the truth on the stand here today in every-  
thing. - - - - - (2117 to 2121)

I cannot recall how many times I have been to Burns' office after I was indicted, and before I testified in the Parkside. I did not see him very often.

I don't think I went down to his office four or five times. It might have been that I saw him two or three times.

I did testify on May 15, 1936, as follows, -

"Q. How many times since you have been indicted have you seen Mr. Burns?

"A. I saw him about a week ago. I probably have seen him four or five times since I have been indicted. He never visited my house, I do not recollect him telephoning to me. I generally dropped in and saw him.

"Q. How many times have you been in his office since you have been indicted? A. About "four or five times."

I don't think I have seen Mr. Burns since the Parkside at his office.- - - - - (2436 to 2438)

Now I came to go to Dwyer, Sullivan and Johnson two or three weeks ago was there was word left at my office to go down to the District Attorney's office.

I don't know who left word and I went there alone and talked with them freely and alone. - - - - - (2127-3)

With the spirit of the world, I am  
happy to be here.

I cannot recall the exact date, but I  
am sure I was there, and I was  
in the company of the  
I am sure I was there, and I was  
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Before I was indicted I had testified several times at the request of Heney and the District Attorney. I testified at the Gladstone Apartments on March 16, 1907, while Heney interrogated me and I think I was under oath, and I then told the truth, and it was taken down in shorthand, but I never saw it written out and I signed the shorthand notes, and then the day after I went down to the St. Francis and talked with Heney at about two o'clock in the afternoon and the next day I went before the Grand Jury at about seven or eight o'clock at night, and I there told the truth also. - - - - - (212) 28 1/2)

When I went to the Gladstone I had already agreed upon an immunity contract, or that I was to have one with the prosecution through James L. Gallagher, and I then understood that according to the terms of that immunity I was to fully and fairly tell the truth in all matters. - - - - - (213)

Shortly afterwards I was a witness in the case of The People vs. Class, and I was still testifying under that immunity contract, and after that, possibly, though I don't recall it, I was a witness for the People in the second trial of Class. - - - - - (214)



I have never talked with Gallagher about the  
matters I have testified to. I have never spoken  
to him at all at any time. We discussed the cases  
between us but not as to my evidence.- - - - - (S134)



I cannot recall the first conversation I had with Ruef after the payment of the last five thousand dollars in the trolley matter.- - - - - (206)

I had a conversation with Ruef at the St. Francis Hotel on March the 16th or 17th, 1907. It was on a Sunday. No one else was present but Gallagher and myself. That was said in that conversation by Ruef to me and by me to Ruef and by Gallagher was, that I told him I had made a full statement to the prosecution regarding all money matters I had on the board. Gallagher made the same statement - - Ruef asked me what I had stated regarding the trolley matter, and I told him I had told the facts in the matter, receiving the money and the amount I had received, and I had given a full statement. That was all. I have told you what Ruef said. Ruef said to Gallagher that he would not have done that if he had been in Gallagher's place, and I said "You never can tell what you will do until you are in his place, that he was in that position now." That was said by Gallagher to Ruef and by Ruef to Gallagher in that conversation was that Ruef asked Gallagher what amounts he had stated in the matters and he told him there was no need of going into those details, that he had told them fully





all the particulars that he knew what the amounts were,  
that there was no use in discussing that at that  
time, that he had made a full statement to the prosecution  
regarding all these matters. - - - - - (2052 to  
2056)

Then I said "he made a full statement to the  
prosecution regarding all these matters", I referred to  
Gallagher. - - - - - (2074)

When Gallagher made that statement to me, that he,  
Gallagher, had made a statement to the prosecution regard-  
ing all these matters, meef said that Gallagher should  
have tried to get in touch with meef before going on, and  
Gallagher said it was impossible to do that, that it was  
one of the conditions of the prosecution that he  
would not try in any way to reach meef while these ne-  
gotiations were going on. meef further asked Gallagher  
the amount he had given on the trolley matter and if  
I had stated receiving ten thousand dollars, and I told  
meef yes, I had stated the exact amount and I cannot re-  
call meef's answer at this time. In answer to your  
question as to whether I remember anything further that  
Gallagher said to meef at that interview at the st.



Francis, Gallagher said that he should get in touch with the prosecution before ten o'clock Monday morning, and he said he would think it over. I cannot remember anything further. - - - - - (2075-3)

Now I happened to go to the St. Francis Hotel to meet heef on that occasion was that I was telephoned for that heef wished to see me at the St. Francis, and I went right down to the St. Francis alone and Gallagher was talking with heef in the room when I arrived and Gallagher and heef and I remained there together peacefully half or three quarters of an hour and Gallagher left first. (2077-2)

After Gallagher left the St. Francis that day I had a talk with heef and it was that heef said if he had been in Gallagher's place he would not have done that, he would not have made those statements and admissions to the prosecution and I then told him that you never can tell what one will do until he is placed in Gallagher's position and that we had discussed the matter fully two or three days before he took that step. I cannot recall what, if anything, heef said then. - (2078-3)





during the presence of Gallagher at the St. Francis  
that day I spoke to Luef about the skating rink  
ordinance. I stated to him that he had brought the  
ordinance in, and he said no, and I said it was in his  
own hand-writing, it had been changed in his own hand-  
writing. That was the substance of the conversation. (2079-00)

I don't recall discussing with Gallagher at all  
what Luef said to me at the St. Francis Hotel. I  
think I informed Gallagher of Luef's remark after  
Gallagher left, that he, Luef, would not have done  
that had he been in Gallagher's position. - - - - - (2134)

I think I discussed with some of the supervisors  
that St. Francis Hotel conversation in connection  
with Gallagher's attitude. - - - - - (2135)

After I had that talk with Luef at the St. Francis  
Hotel I don't think I went and reported that talk  
to any of the supervisors. - - - - - (2136)

I did not then go to Mr. Revey or Langdon or Burns  
with James J. Gallagher and report the talk I had  
with Luef at the St. Francis. - - - - - (2137)

I did not go and tell supervisors about the talk I had  
with Luef and Gallagher at the St. Francis. - - - - - (2138)



When I had that talk with Ruef at the St. Francis he was in the custody of Biggy and was imprisoned there, but at this particular date there were no guards in the room. - - - - -

(216)

Prior to that time I had visited Ruef when there were some guards there at the St. Francis. I think it was the Sunday after he was arrested. It was the night you told me in your house that he had been taken into custody. You told me that about three o'clock in the morning at your apartment, Mr. Ach, and the following day I visited him and Biggy was sitting there when I talked with him. - - - - -

(217)

At the time that I had the conversation with Ruef and Gallagher at the St. Francis, Burns was out in a little narrow hall. I think it was Burns who telephoned for me to come down there. I went alone.

Mr. Ruef said to me there "I wanted to learn from your own lips if what I have already heard is true regarding your making a statement to the prosecution." (218)

Now Mr. Wilson, you never told, before you went on the stand in this case, and you did not, either in your Gladstone statement, or your Grand Jury testimony, your first Ford trial, either one of the two Glass

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cases, or this Parkside case, or in the Police Court which followed this case, you did not tell any of the conversation that you have testified to have today, did you? A. I never was asked - - -

Q. (Interrupting) Wait a minute. I don't mean today. I mean here in this case concerning any conversations you say you had down at the St. Francis Hotel?

A. I only answered questions that were asked me.

Q. Please answer me yes or no. A. No. - - - (2230-2231)

It is true that I did not tell at any time previous to this trial, in any of these cases, or at any of these times or places anything about the conversation in which I say that Huef said that we ought to put up a thousand dollars apiece to defray the expenses in the graft defense. - - - (2231)

As to my testimony here about conversations which I say I had with Huef down in Tait's Cafe, I don't know that I testified about it in any other case, but I told the District Attorney's office about it, but I cannot recollect when. - - - (2231)

I don't think I testified in any of these proceedings before, to the conversation that I say I had with Huef coming from Thompson's Cafe, nor concerning the conversation that I say I had with Huef at Santa Cruz. (2231)





The reason I did not testify to those other things in the last Ford case and in the last Parkside case, and in the first Ford case, and in the Glass case, was that I never was asked about them. - - - - - (2272)

Q. Then you never told Burns, Neasey, Langdon or McGara the conversation that you say you had with Ruef at the St. Francis Hotel? A. No sir,- I do not recall repeating it to any one, but I might have done so, but I cannot recall at this time.- - - - - (2273)

I did testify in the first Glass case that it was Burns that telephoned me that Ruef wanted to see me at the St. Francis Hotel, and that I could go and see him. That is what I think I testified to, that I thought it was Mr. Burns that telephoned to me that Mr. Ruef wanted to learn it from my own lips.- - - (2251-2)



Previous to the conversation with Ruef at the St. Francis, I had a talk with Ruef at his office on Bush and Fillmore Streets, and it was about three weeks before the 17th of March, 1907, and no one besides Ruef and myself were present at it, and that conversation was that I asked Ruef if he had talked with Lonergan, that he had received five hundred dollars on the skating rink matter, and that I understood the skating rink proposition had been killed in caucus, and Ruef said he didn't know anything about it, and I said, "Why, you have been changing it in your own hand-writing since the caucus." He said he would have to get the ordinance from the Board. I asked him what he had done in the Lonergan matter, and he said he had told him to return the five hundred dollars.

I said it was a vindictive measure, aimed at Maestretti, and it was liable to get the whole Board into trouble and that others of them I thought had taken money on the skating rink proposition, and he said for me to find out all I could in the matter and report him further. And I did report him further, when I had a talk with Mr. May. I reported to Ruef two or three days after that, and told him I had





a talk with Roy at the skating rink, and Chief said that he had found out in the meantime that none of the other skating rinks had contributed any of the money and I said that I was still satisfied that it was a plant to trap, and Chief said he was going to have another talk with Lonergan and Gallagher

in the matter, and see what action was best to take. (2000 to 2003)



I had a conversation with Huef in relation to publications in the papers that members of the Board of Supervisors had accepted bribes, between the 1st of January, 1907, and the time I had the interview with Huef concerning the skating rink ordinance. My first conversation with him on the subject was at his office on Rush and Fillmore Streets some time in September. I might have had other conversations, but this is the only one I have anything to set definitely in my mind. It was in September, 1906. It was before the 1st of January, 1907. Between the 1st of September, 1906 and the 1st of January, 1907 I had such conversation with Huef and the first such conversation took place about the 1st of September, at Huef's office at Rush and Fillmore streets, and no one but himself and me was present, and at that conversation I told him Choynski was across the street, - I pulled the blind aside at his office and showed him Choynski talking to Jesse Marks, that Choynski had stated to Marks the exact amount on the trolley proposition, and that I had advised Huef a few weeks before that not to continue that fight for the attorneyship of the Liquor Dealers, and that Choynski was telling what he had said to McCushin at one of the meetings regarding the four thousand dollars on the trolley, and that Choynski had said that McCushin looked paralyzed when he mentioned the exact



amount, but denied it, and I said to Huef, "He has the correct amount on the trolley", and Huef stated that there must be a leak somewhere in the Board, and I stated that I thought it came through Morris Levy, and that possibly he got his information through Supervisor Kelly, as they were very friendly and that Morris Levy told Chernski. Huef said he would not withdraw from the fight when Chernski was making that kind of a fight. - - - - - (2084 to 2090)

Subsequent to that conversation in September, 1906, I had further conversation with Huef in which the exposure of the members of the Board of Supervisors having received bribes was talked about. I cannot recall the exact date of the first of these conversations, but it took place at Huef's office on Fillmore and Bush Streets and I then told Huef about some statements in the papers about Sanderson having made confessions to the prosecution and Huef said there was no foundation in the matter, and that he had a letter from Sanderson, or through Sanderson and had read the letter from Sanderson in Arizona, and that he was satisfied from what Sanderson said in that letter that he had not made any admissions to the prosecution. I said that the amounts and statements in the Chronicle on the Sanderson matter were such that there must be



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some foundation for it, and Ruef said to me, that he had a letter and he opened his drawer on the right-hand side and read me the letter from Sandersen to Ruef, or to some relation of Sandersen's in the city. I cannot recall any other conversation with Ruef upon the publication of the reports that the Deers had been bribed. - - - - - (2090 to 2094)

On the night that Langdon was removed by Gallagher from the office of District Attorney, I had a conversation with Ruef at this office and another at Tait's Restaurant. The first conversation with Ruef was at his office and I then told him that I thought it was a bad move at this time, and that the morning papers would call it a confession of guilt and I said that I had stood there and taken program and I felt it would ruin my chances in the face of election running for railroad commissioner and he said I would feel better after I had something to eat, and we went over to Tait's and had supper and on the way over he sent Charley Hagerly in to notify Henry of his removal as District Attorney. On the way to Tait's from Ruef's office, Ruef gave Hagerly a paper and told him to deliver it to Henry in person and we reached Tait's restaurant about ten minutes later. Dr. Let and Dr. Hagerly were with Ruef and me at the table while we were



having supper at Tail's.

I could not say that Aeb heard our conversation at Tail's. Hagerly joined us at Tail's in about ten minutes. I heard Hagerly say to Knof at Tail's that he had delivered the note to Henry and Henry asked him who was present and he replied and he told Knof that Agrecksels and Elder was there and he mentioned others, and Knof asked him what Henry said and Hagerly said that Henry said he did not recognize Knof as District Attorney. Knof asked him if that was all Henry said and he told him no, but that Henry had said also that Knof would go to jail. There was some discussion also at the meal about taking possession of the office that night. I do not know whether it was Aeb or Knof that said it would be a good idea to go up and take possession of the office that night, but they decided to wait till morning. Knof said he thought they had better wait till morning and take possession of the office the first thing in the morning. - - - - - (2013-2132)

I had a conversation with Knof in Thompson's restaurant shortly after he was indicted, after the first indictment on the Bremer restaurant cases. After leaving Thompson's restaurant we boarded a Seary Street car, and the conversation took place on the tummy of the Seary Street car and after we

UNION OF THE TWO KINGDOMS OF ENGLAND AND SCOTLAND

FROM THE FIRST UNION OF THE TWO KINGDOMS TO THE PRESENT

BY JOHN HALLAM, ESQ. OF LINCOLN'S INN

IN TWO VOLUMES. THE FIRST VOLUME CONTAINS THE HISTORY OF THE

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left the car at Franklin and Geary Street, and in that conversation Luef said that the fight against the prosecution was costing a great deal of money and that he would like to have a talk with Gallagher and some of the Board, - that the Board should contribute a thousand dollars apiece toward defraying the expenses of fighting the prosecution in these matters. I told him the French restaurant case happened before the Board took office, and walked from Geary Street to his attorney's office. He stated that he had also had to adjust the matters with Willie Witt, and when the matter had run the Statute of Limitations he would tell me the way that he had to return to Willie Witt in the Prize fight Trust matter. - - - - - (P. 100 to 1100)

"This is the first time that I ever testified that I told Luef that the removal of the District Attorney amounted to a confession of guilt, or that I met Luef and him at Witt's, and that somebody said they had better go and grab the District Attorney's office that night, or words to that effect." - - - - -

(1270)



I remember meeting Luef in Santa Cruz in the latter part of 1900, during the session of the Republican Convention in that town and having a conversation with him there on the veranda of the Sea-Beach Hotel with no one else present, and in that conversation Luef said if Gallagher was successful and received the nomination for the Appellate Court and I received the nomination for Railroad Commissioner it would leave him without any one familiar with the Board of Supervisors and suggested that it might be best for me to remain with the Board and handle the Board of Supervisors; and I told him no, that I did not care to take Gallagher's position on the Board, and he said he would have to get an attorney on the Board that he could trust and divide a fee with for the Board, and he mentioned an attorney he thought he could depend on to handle the Board in place of Gallagher. That is all I can recall of that interview, and that was after the Governor was nominated and after the Convention had adjourned to the City. I was seeking the nomination there and Gallagher was seeking the nomination for Judge of the Court of Appeals and was a candidate before the Convention and was beaten by Judge Leavitt. - - - - - (2093 to 2094)

2. Relative to the conversation that you say you had at Santa Cruz with Luef, did you ever tell that to Morry,



Langdon, Burns or Gallagher, or anybody connected with the prosecution before the end of the Arkside trial.

Q. I never told that to any body until I told it to Johnson, Dwyer and Sullivan in their office on Sunday a few weeks ago. - - - - - (2872)

A. I think it was in August, 1936, that the Convention was held at which I was nominated for Railroad Commissioner.

I still say that I had that conversation with Chief at Santa Cruz that I testified to, but I don't recall saying in September. - - - - - (2125-6)

A. I don't think I told 'Aca about that Santa Cruz Convention conversation when I talked with him in April. The first time I talked about that conversation to anybody was on Sunday, two or three weeks ago, when I told it to Dwyer, Sullivan and Johnson. - - - - - (2127)















Testimony of Supervisor Wilson  
In the last RUEF TRIAL (No. 1437)  
As to all matters but the Trolley.







TESTIMONY OF SUPERVISOR WILSON IN THE LAST ROBEY TRIAL (No. 1437)

AS TO ALL MATTERS BUT THE TROLLEY.

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## I N D E X .

|      |   |     |
|------|---|-----|
| I.   | Prize Fight .....   | 1.  |
| II.  | Parkside .....  | 4.  |
| III. | Gas .....   | 9.  |
| IV.  | Telephone .....   | 11. |
| V.   | Trolley. -- See Volume entitled "Testimony of<br>Andrew A. Wilson on the Trolley<br>Franchise." |     |



- I \_

PRIZE FIGHT.





PRIZE FIGHT.

First money talk after initiation into office was when Gallagher gave me \$100 on the prize fight matter and that was I had already voted in it. I think Russ had told me at caucus that it was program and I voted for it on that account because I voted on everything he asked me to and would have irrespective of money; no bribery necessary. I don't think that when I voted in the caucus for the prize fight that I knew that there was going to be any money for me nor to the best of my recollection. (2108 & 3)

I don't recall that anybody made an offer of \$100 for my vote on prize fight matter before I voted and I don't think so. A. Nobody had ever spoken to me before about money or hinted that there would be any money in being a supervisor? A. Oh, I always heard it was talked that there was money in being a supervisor. My first talk with anybody about money as a supervisor or that there would be any was when I received the prize fight money. (2141)

Early in January, 1906, the prize fight was considered in caucus in the Mayor's office and Russ then said he favored it and wanted the board to pass it. After the caucus the board considered the question before the fire but I cannot give the date, and passed it in January, 1906, and some time in January, 1906, Gallagher gave me the \$100 and said it was on the fight permit. (1894-2064)

I don't remember what I did with the prize fight money; I spent it, and it was the first payment of money I received from Gallagher. (2006)

It was right after the prize fight matter was passed to print that the money came through. (2013)

I testified in the first Glavin trial that before the prize fight came to the vote I did not have any talk with Gallagher upon the subject. (2281)

I did testify on May 14, 1908, in the Farrell matter, page 85, as follows: "The prize fight matter was the first money I got and I have already testified that up to the receipt of that money I had no reason to believe in the success of money for anybody, and I have now testified that at that prize fight caucus after the luncheon Gallagher said to me that it was the program and that Russ wanted it paid up so that he could get money out of it for himself and the supervisors." (2409)

I think when Gallagher paid me the \$100 he told me not to speak to Russ and that that did not want to mix up talking to the board, and that that remains that I did not go down and tell Russ about it. (2411-13)

I don't think I ever told Russ that I got that \$100 in the prize fight matter although I now in mind what he told me about grafting; however, the Farrell matter followed right along on the prize fight matter and Harrison told me he talked to Russ about Gallagher taking out his commission, and that was the first time I knew that my supervisor was so intimate with Russ. (2411)



I testified in the Parkside matter that I had never heard there was any money in anything until I got the Prize Fight money, and that when Gallagher came to me with the Prize Fight money there was no arrangement on the Prize Fight or on anything and I had not heard of any money from anybody in anything. .... (3413 et seq.)

I testified in the Parkside case at page 54 as follows: "Gallagher stated it was money on the Prize Fight matter and I told him that I had a talk with Ruef and had agreed to program and I said I didn't want to take that and he said that it came from Mr. Ruef; and I had no conversation at that time regarding money." That is right, I wanted to know that that money came from Ruef. .... (3396-7)

I testified in the Parkside matter immediately following the foregoing as follows: "Ruef had not asked me to vote for the Prize Fight matter. Gallagher told me. He came into my office and said: 'This is on the Prize Fight proposition, some money on the Prize Fight proposition' and I did not want to take it because the first conversation I had with Ruef was that he depended on some man in the Board to report to him if the supervisors were taking money and I told him about the offer of a free telephone and that I did not want to take it and he said that was right. That was when I first saw Ruef when I went into office; that was when you introduced him to me." (3397,8)

Sanderson told me that he had kicked with Ruef about holding out the 5% and that was some time after I received the Prize Fight money and was some time after I understood I was going to get money on the Parkside or Gas. It was before I had the talk with Ruef about holding back the Parkside. The talk with Sanderson about Gallagher holding out the 5% was after Gallagher made me the offer of \$750 in the Parkside. I think the reply to Sanderson was that I did not think that Gallagher did it to me. I made the statement about giving a little and taking a little to see the attitude between Ruef and the Mayor and I told Ruef afterwards that the Mayor did not seem to see the point. (3397-3404)

When I got the prize fight money Gallagher told me that it came from Ruef. (3315)

I did not make any promise of money in the Prize Fight matter. (3199)

(The testimony of Wilson as to promises and payments in the prize fight matter will be found separately treated in the independent volume entitled "PROMISES AND PAYMENTS")



- II -

PARKSIDE





PARKSIDE.

Parkside was first considered at caucus while the Mayor was in Los Angeles early in January 1906 and at that caucus Ruff said to me to kick him and hold the Parkside matter up and I told him I had already spoken in favor of it at the Casino, promised Green and O'Brien and I did not like to take that attitude at that time; and Ruff said I should have waited until he gave me instructions and that he wanted the matter held up and that the Mayor was promising Parkside and Ocean Shore and it was hurting Ruff politically. At that caucus I sided with the majority and agreed to vote against the Parkside and at that time and in that talk Ruff said he wanted the Parkside people to come and see him and I agreed with him to vote against it. At that caucus Ruff spoke on Parkside and so did I. I objected on the ground that they had not supported the administration. There was no decision at that caucus. At a subsequent caucus at which the Parkside was discussed the Mayor was present and had returned from Los Angeles and it was the second Sunday after his return and was in January, 1906 and Ruff also was present and the Mayor said they would take up the Parkside and take a vote on it. There was not much said at that caucus. There was something at the caucus previous. When the Mayor returned from Los Angeles he told me of a wedding he and Ruff had been at and the minister had advised the newly married couple to give a little and take a little and at the following Sunday night caucus I stated that I had been influenced by that advice and believed it a good idea for the Board to follow it. At the caucus at which I made that statement we were voting on the matter and all the members made speeches and we determined to pass the franchise and I think the vote was unanimous and I believe the ordinance granting the franchise was produced at that time before the caucus is-oided that night to grant the Parkside franchise. Gallagher told me in an ante room of the Mayor's office that there would be \$8,000 coming through on the Parkside and I said all right. (3206-14)

That speech of mine at the caucus about giving a little and taking a little was about two weeks after the Casino luncheon. (3219)

At the Casino luncheon Gallagher made a speech in favor of Parkside and Green made a speech along the line of the money they would raise and its importance to the city and I spoke in favor of it and Boston said that they were not in it for their health and that neither are we, and he at that time was chairman of the public utilities committee. I don't know that I reported that remark of Boston to Ruff but I had a discussion with Ruff about it that it was pretty raw. (321- 1/2 220)

In talking with the boys about the Parkside I did not state any figure as to what I thought the "little" should be, there was never any set price. (3210-18)



The night Ruel told me to kick in and hold it up Ruel did not say there was going to be anything in the Parkside or the amount, but before Ruel spoke to me that night Gallagher had spoken to me about building it up until Ruel got it fixed for himself and the Board; that there would be something going but there was no amount mentioned and there was no promise of money at that time. I made the speech about giving x x x i k k i e and taking a little the same night Gallagher said he was officer of the \$750 in Parkside. That Gallagher said about Ruel when he made this offer to me was that Ruel had arranged there would be \$750 coming through on the Parkside matter. I did testify in the Parkside matter as follows:

"What Gallagher said to me was that there would be \$750 in the Parkside, that Ruel had used his endeavors with the Parkside people, and that they would be able to give that sum to the Board. I announced openly and broadly that Gallagher had said to me the proposition of \$750 that he had made the same offer to each one of the others and I arose and suggested as one of the arguments in favor of the passing the franchise that it was a wise thing to give a little and take a little. That was my attitude." It was my impression from the attitude the others took in the matter first opposing it and then being in favor of it that Gallagher had made the offer to each of the others as well as to myself of \$750. (2413-24)

It is possible that in all the cases I have been interrogated in I never before said that I told Gallagher I would not take that money unless it came from Ruel. (2543-4)

After I became a member of the board the first thing in which money was talked to me on was Parkside, I think.

Q. Was he the first person that spoke to you on Parkside about money? A. Well, the definite promise of some money was made to me by Gallagher. Q. He was the first person who spoke to you about money? A. He did not speak to me about money, but I inferred from his conversation that that was what he meant, so when Mr. Ruel told me to kick in and hold it up as I have testified; he told me to kick in and hold this up, that they should come and see him, that the Mayor was promising this Ocean Shore and Parkside and that they were worth a million dollars, and I inferred from that conversation that there would be money in those things; there was no promise of money; Gallagher made the definite promise later on. (2463-6)

I did testify in the Parkside case that prior to the time we went out to the lands of the Parkside the proposition had been discussed in caucus, and the Mayor favored it and told us they were going to take us over the lands. (2388)

At the caucus the first time the Mayor spoke about it he said he favored the Parkside, and that was before the luncheon. I do not think I had any talk with Ruel about Parkside before that caucus at which time the Mayor said he favored it and it was before the luncheon. (2387)

I don't recall any of the other supervisors ever told me to hold it up before Ruel spoke to me about it; Ruel took that attitude while the Mayor was in Los Angeles and got the Board to take that position to force the Parkside as I understand it to go and see him; and he called me aside and told me to kick in and hold it up, and that was the first time I ever heard about holding it back, either from Ruel or anybody else. (2370 & 1)







I testified at the Parkside case at page 55 as follows: "That night at the caucus was the first time Gallagher told me it was program to hold up the Parkside and then later at the same caucus Ruef spoke to go about it and the Mayor was then in Los Angeles. Gallagher was the first to speak to me at any time at all and he spoke to me first that same night." (3371 & 3)

I also testified in the Parkside case as follows: "What was said was that Ruef told me he would like the matter held up and I told him I had met Green and the people that were out there at the banquet and had promised to vote for it and had spoken for it and he said I should not have done that and he would like the matter held up and that they should come to see him and that the Mayor was promising these matters and that it was hurting him politically and that I should kick in and object to the matter. That night some of the supervisors stated in the discussion that the Parkside people had not supported the administration and when my name was called I took that attitude and said that on that account we ought not to be in haste in granting the matter; and a few days after that in a meeting of the Public Utilities Committee I told O'Brien and Green what I had said and that I knew it was not so and that I was sorry and they thought the matter would be all right, and that they understood my position." (No mention of the million dollars in this last account) (3373-4)

When Gallagher told me first to hold back the Parkside he said that it was program but he did not use the language that it was the program to hold it back until he would see what was in it, whether Ruef could get anything out of it, to see whether it could be fixed so as to get something -- neither at that time nor at any time relative to Parkside.

(3375 & 6)

I did testify in the Parkside case as follows: "That Gallagher said was that Ruef wanted the Parkside matter held up, that that was the program. I think he mentioned Ruef's name and that Ruef wanted it held back, and it was along the lines that he wanted it held back until these people were seen, until the matter was fixed, and that Ruef was going to use his endeavors to get something out of it and make them come and see him; that Ruef was going to make them come and see him to get something out of it for himself and the Supervisors." That was the idea. (3377-9)

Now the interview was brought about between Ruef and me in which he told me to hold up the Ocean Shore was that he telephoned for me to come to his office about the time General Smith was arriving from the Philippines and about three months after my election, in the latter part of March or early in April, and in that interview he said for me to try and get some of the supervisors to back him up and oppose the Ocean Shore to make Harvey come and see him.

(3499-3501)

I did not say to Coleman or in Coleman's presence on the way out to the Casino luncheon that there ought to be something in the Parkside. I do not think he rode out with me to that luncheon.

(3432 & 3)

I did testify in the Parkside case that I would not say positively that I did not ride out with Coleman and that I will not say positively that it was not said in my presence that day going out to the luncheon that there ought to be something in this Parkside matter. I will not

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say positively that Davis or myself did not say it in  
Coleman's presence. (2423-5)

I did testify before the Grand Jury that I never heard  
there was anything coming through on the Ocean Shore. (2663)

I did not make a promise or offer of money in the Parkside  
matter. I told Furey and Warlock there would be \$1200  
in the matter. (2194)

(As to Wilson's testimony as to Promises and Payments  
in the Parkside matter see independent volume entitled  
"PROMISES AND PAYMENTS.")



III.

GAS.

(As to testimony of Wilson in the last Pier trial as to Promises and Payments by the Gas matter see independent Volume entitled "Promises and Payments.")





GAS.

The Gas ordinance was considered in caucus before the fire. I do not know who presented that gas ordinance at the caucus and I cannot recall what was said and done by the members and others at the Gas caucus. Prier said at that caucus that he favored the 85 cent rate. (2010-11)

I did testify in the Gladstone as follows: "The next matter that came before the Board was the Gas, that was the matter of an ordinance fixing the rates to be charged by the Gas Company to the inhabitants of San Francisco. Q. The platform on which you were elected placed the Board to fix the rate at 75 cents, it was then \$1? A. Yes, sir. They had a fire test wiped out, well, I don't remember the exact amount now but it was impossible to give Gas all over the city for 75 cents. We did not know on the Gas that anything was coming along. Q. Until after it was passed? A. No. Q. Who told you it was coming? A. Mr. Gallagher. Q. That was after you passed the ordinance? A. Yes, sir. Q. Finally passed it? A. Yes, sir. \* \* \* at the time he told me I don't think he gave me the money, it was later, two or three weeks after we passed the ordinance that we got the money. Two or three weeks I should say after we passed the ordinance." When the gas rates were first discussed in the Mayor's office there was no statement as to any money coming through, but before the matter was passed in the Board to print Gallagher told me there would be \$750 coming through on it. When I went to the Gladstone Meney said he was just going to make some notes in the matter and I never had expected to go before the District Attorney or to make any statements in these matters here until the day before, or Saturday morning, that I made up my mind to go before the District Attorney and I never had refreshed my memory in the matter or given it a thought. Q. Don't you remember, Mr. Wilson that you told Mr. Meney at the Gladstone Apartment that you never knew there was to be anything coming through, that the ordinance was finally passed and you had heard nothing at all about it, that the Company had sustained a fire, and that it was because of the fire, in substance and effect, that those rates were cut to 85 cents, and that after the ordinance had been finally passed that Mr. Gallagher came in and said there would be \$750 and that nobody knew or expected there would be any money coming through on that? Don't you remember you told Mr. Meney that in the Gladstone Apartments? A. No, sir, I did not. Q. You have heard the testimony read? A. Yes, sir, but I do not recall that Gladstone statement at all. (2436-32)



- IV. -

TELEPHONE.

(As to testimony of Wilson as to Promises and Payments in the Telephone matter see independent volume entitled "PROMISES AND PAYMENTS.")





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TELEPHONE.

I received the \$35,000 in the Home Telephone matter before the fire and in the committee rooms of the board and in currency and in an envelope. (2013 & 14)

Within a week before the passage of the Home Telephone ordinance the matter was considered in caucus and a vote taken and all the members voted in favor of it except Foxton, Walsh, Sanborn and Rea. At that caucus Ruff, Schmitz and Deane were present. (2020)

At the time Gallagher paid me the \$35,000 in the Home he said that those who had received money from the Pacific States would only receive \$3500 and the ones who had not received any money would receive \$6,000 and that that would equalize the matter. (2021)

What I said to Lonergan, Coffey, Gallagher and Ruff out at the prize fight that night was that I told them all that Ruff would be at the Pug late that night and wanted to see them on the telephone matter. I don't think that Ruff asked me that night at the prize fight how much I got from Halsey but he may have and I cannot recall that I told him, nor do I recall whether Ruff then asked me if we would have to give that back again or whether we would lose money by it or whether we would get as much from the Home or not. (2237 & 8)

I did not go down to the Pug that night with those four supervisors. I was there when Lonergan and Coffey came in. I walked down Market st. with Gallagher and talked with him about the condition of affairs of the telephone. I talked that night with Ruff in it after these men got there and told him that some of the supervisors had been down to see Halsey and he asked me to take to them and I told him I did not care to get mixed up with it. He said he did not want to stop them from going to the City Building but he wanted me to stay by the administration and he took them over to one side and talked to each one separately. (2239)

I think it was the Sunday night caucus right after that Pug meeting that I first heard what was going to come through in the Home. I cannot say whether Ruff made the talk or the Mayor made the talk at the caucus to the effect that we were at the dividing of the ways and that it was a time to stand by the administration; and Foxton got up and made some remarks to the effect that if we cannot get a thing through one way they might try and get it through in another and I think it was the Mayor asked him what he meant by that and he replied "You know there are other ways of reaching that matter" and then when the vote was taken alphabetically there were four voted for the Pacific States and the rest for the Home. (2239)

It is my recollection that it was at the Sunday night caucus right after the Pug talk that I first heard what was going to come through in the Home. (2239)



It was after I was elected that I was introduced to Halsey and before I went to his office. (2319)

Now I happened to go down to the Mills Building and get money from Halsey was he telephoned me to come down; Ruef did not send me nor did Gallagher nor any of the rest of the boys. I think Mamlock spoke to me about going down there in advance of my going and I think Furey said that he was, but there was nobody else. I think that what Mamlock said was that he had a date with Halsey. I met Furey on Powell st. and he said he had a date with Halsey and I think I had a date with him at the same time, and possibly I told Furey that I had. I do not recall that I discussed it with Furey but I told him I was going down. I don't recall the conversation with Mamlock. I don't think I had any talk with Sanderson about it and don't recall about Lonergan. I don't recall if any of the boys reported to me that they had been down to see Halsey before I went or how much they got or what for. (2319-34)

Up to the time that I got the money from Halsey I had only done business with Gallagher. (2335)

The \$5,000 that Halsey gave me was in twenty dollar bills and fifty dollar bills and one hundred dollar bills. (2325 & 6)

I think it was I that told Mamlock to go and get some and I think it was in the morning that I had an appointment with Halsey. I had not received any money when I saw Mamlock and I cannot recall that I told Mamlock right afterwards what I got but I may have done so. I think I told Furey how much I got. It might have been the same day and in the afternoon that I told Furey that there was something going down there and that I got \$5,000 and was going to get 2,500 more. I cannot recall whether it was before I went to Ruef's office or not that I told these two men what I got and how much more I was going to get before they had been down there. I was not the first man that went down there to Halsey's and got money but I don't know who was; Halsey stated I was late and he expected some one else, but I did not ask him who had been down there and don't know that he said others had been. I don't know that I went out and saw some of the other boys after I saw Halsey to ascertain whether they had been there and got money and whether they had gotten as much or more than I did. Later on I say positively I did compare with some of them the amounts we had gotten in that matter but not on that particular afternoon. (2328-29)

I went to Ruef's office the night I got this \$5,000 and told Ruef that I had been down to see Halsey and that Halsey had given me \$5,000 and I asked him if that was program and he told me I ought not to have done it and he told me not to return it at that time and said that his program was the Home. And I told him that from the talks I had with him I thought he leaned towards the Pacific States and he said to me "don't return that at the present time and I will have a talk with you further and I want you to go down and get all of the supervisors and I will be late at the Pup and tell them that the program is the Home." He told me later that it would be a good lesson to Halsey for trying to take the Board away from him but I cannot recall whether it was that same evening or night at the time. I think it was





the same evening when I told him I got the \$5,000 from Halsey that I told him the Board was going to the Mills Building. I don't recall if he asked me if Gallagher had been going. (2231-3)

Gallagher did not know at that time that I was going to Halsey's office and I had not discussed with Gallagher the subject of getting money out of the Home; it was a talk that there would be money coming through on the telephone matter. (2233)

Did you say to Ruef or see Ruef "Well if the Home is program what am I going to get, here is \$5,000 from Halsey." And of course you told him that he had promised you \$2,500 more during the year - you told him that? A. I think I did.

Did you say to Ruef "Well if the Home is program here how am I going to make a stand off on this \$5,000 and this \$2,500 I am going to get? Did you not that to Ruef? A. I never mentioned money matters with Ruef, it was enough that it was his program. If he arranged any money matters it was satisfactory. (2233 & 4)

Gallagher was at the prize fight the night Ruef sent me out there and I told Gallagher that Ruef wanted to see the supervisors at the Pay in the telephone matter and I told Gallagher right there at the fight that I got \$5,000 from Halsey and I probably told him about the \$2,500 I was still to get and all the circumstances. Gallagher said that he was arranging it with the Ruef about the Home proposition. I called Coffey and Loneragan aside separately and talked to them. My recollection is that neither of them had been to the Mills Building. I told them that the program was for the Home. I do not think I told them that I had gotten \$5,000 for myself or anything and I don't think I told them I had been down to see Halsey. Besides Loneragan Coffey and Gallagher I saw Purer out there. Those were the only four I saw. (2236 & 7)

I cannot recall the number of supervisors I talked to about the amount before I went down to see Halsey. (2239)

I cannot say whether I did or not in that talk that evening with Ruef tell him that Gallagher had told me there would be money coming through on the 'phone matter. (2233)

There was a good deal of talk on the prize fight and on the Gas that it was program and that the money was coming through Ruef and I told along that line with some of the supervisors but I cannot recall whom. (2212)

Before I was inducted into office Krause I think it was the one that said they would like it if I got on the Public Utilities Committee. It was once or perhaps twice that I dined with Halsey before I was inducted into office. Krause was introduced to me by Smaller and then he brought Halsey up and introduced him and Halsey asked me to lunch with him. (2231-3)

It was the latter part of February some time that I went down to the Mills Building and saw Halsey and got money from him. Before I went down to see Halsey I did not talk with Ruef or Gallagher on the Home proposition. I was not offered anything by Gallagher for my vote on the Home Telephone before I went down to see Halsey. I might have talked with Mallock or Purer about their being money in telephone before I went down to see Halsey. I think I did discuss it with Gallagher and the discussion was that there would be something in the telephone matter.





I don't think he told me at that time that Ruef told him there would be. I might have talked with Furey about telephone and money being in it. I did not talk with Davis and I don't think I talked with Lomorgan or Borton. I did not talk with Kelly, McGuishin or Walsh. I cannot recall any of the others that I talked with about money being in the telephone outside of Gallagher and Furey before I went down to see Halsey and get money from him; but there was some talk around the board but not as to the amount. The Home telephone matter was then on file. (2316-18)

My best recollection is that I had already told Gallagher about the \$5,000 I got from Halsey when he told me at the caucus that there would be \$5,000 in the Home; and he did not say anything that time about equalizing it and my returning half of it. (2340)

I think the telephone caucus was on the Sunday following my meeting with Halsey and getting the money from him. It rained to print on Monday, Feb. 26th, and the caucus was on Feb. 25th. I cannot be positive whether there were two caucuses on that. (2379 & 79 1/2)

I think it was at that caucus on the night that it was decided on that Gallagher told me 5,000 for me in the telephone matter and I think it was after that caucus that I had the talk with Warlock and Furey but I don't know how long. (2380)

I remember meeting Warlock and Furey at the Oyster Loaf on Eddy near Powell near February or the early part of March and I had a conference with them there at that time. (2021)

Following the conference at the Oyster Loaf I made a report to Ruef on the same day as the conference and I then told him that the supervisors wanted other information to confirm Gallagher's reports to the Board. And Ruef said that he did not care to discuss that with any one other than Gallagher, that it took up time, and that whatever Gallagher did on the Board was with his full knowledge and consent, that the matters were being handled satisfactory by Mr. Gallagher and when anything arose, any other condition confronted he would look elsewhere for a leader, but he did not want at that time to discuss those matters with any one. (2021-4)

At the time I had the luncheon with Warlock I think Gallagher had told me that there would be a donation to equalize the amount to \$5,000 for each supervisor. Furey and Warlock told me that there had been a general talk on the Board and there was dissatisfaction regarding the matters and they would like to ask me to go and see Mr. Ruef. I could not say whether we had received the \$3,500 then or not. I went to Ruef and told him what they had said. Q. And you told Ruef that the boys on the Board were suspicious of Gallagher holding out some of the monies he was getting in these various matters or in substance that, didn't you? A. No, I don't think it was such suspicion of Mr. Gallagher, there was also a feeling that they were expected to program the Home telephone matter, and to take a very small amount of money, whereas the Pacific States was willing to give a great deal more. Q. It was sort of a competitive bidding? A. No, that is it might have been with Mr. Ruef but it was not with the

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Board \*- \* \* They only wanted to know the facts in the matter. Q. I see; they could not understand how in the world it was that Gallagher and Ruff wanted them to take a certain sum of money on the Home telephone, when they could go down here, or they had gone down and gotten a larger sum or would get a larger sum of money from the Pacific States, that is the idea, isn't it? A. Well, to some extent, and they did not know whether the amounts were being properly distributed \*- \* \* whether the information Gallagher was giving about this adjustment was correct or not. Q. Exactly whether the amount of money Gallagher was getting for them and the rest of the boys was all right, whether Gallagher was not holding out the lion's share or something of that kind; that was the idea, wasn't it? A. It was along that line. Q. And you went and talked to Ruff about that matter only, didn't you, you were pretty well acquainted with Ruff about that time, weren't you? A. No, I was not very well acquainted with him about that time. I don't know that I went to talk with him only. He had already told me to hold up that Parkside, and that there was a million in it. I had already told Ruff about accepting \$5000 from Walsey when I went to him as an emissary of Ruff and Mamlock and the rest of the boys. (3344-4)

I have testified in this case that Ruff told me it would be political suicide for the Board to go away from him on the telephone matter and it is probably true that I had my talk with Walsey on or about Friday and that the following Sunday the caucus was held and the Home matter went through. Q. And is it not true that you saw Jim Gallagher and he told you that there would be about \$5000 in that telephone matter, and it was he that said to you that the administration wanted the Home, and it would be political suicide and you did not stand by the administration, isn't that the fact? A. My recollection is he did say that and I so testified on August 16, 1907, and it is true that that testimony shows that I did not there volunteer the statement that Ruff also told me it was political suicide. (3344-48)

I did testify in the First Ford trial as follows: "I got \$3,500 in the Home telephone matter. I knew I was to get that before I voted for it. I did not have discussion with Ruff in the Home telephone matter in which he knew I was to get the \$3500. I had a talk with him about the Pacific States and Walsey paying the money and I told him I had received that money from Walsey and he said I should not have done that at that time." And that is true. (3321)

In the Glass case on July 23rd, 1907, I testified as follows: "I received \$3,500 from Gallagher for my vote on the application of the Home Telephone Company and that was paid to me by Gallagher about two or three weeks after the passage to print of the ordinance and Gallagher at that time said there would be from 2,500 to 3,000 dollars coming to me if I voted that way. Q. Did he not say there would be \$5,000? A. Yes, sir. I think he did." It says there \$2,500 and I said there \$3,500. It where there is an error in the whole record. (3332-93)

I think I did testify that I took the \$5000 that I got





from Malsey to the Western Safe Deposit Box and put it there. (2376)

I testified in the first graft trial as follows: "Q. What was said to there? A. He just handed me an envelope and said that that was along the lines he had been talking to me about and said he wanted me to be friendly, to go and look after their interests. " (2377)

Before I got that envelope from Malsey I don't think I had any talk with him about money other than he wanted me to be friendly with the company I had already talked with Ruff. He did not feel quite sure of Ruff's position and I told him that in my talks with him that his attitude was friendly. I told Ruff about knowing Glass and some of the men in the Pacific States and I was glad to hear he was friendly with them. (2377)

I did testify in the first Glass trial as follows: "The franchise had not to the best of my recollection been recommended by the Public Utilities Committee when I got that envelope in the telephone matter. I heard there was some trouble on the committee and some doubt as to whether they would recommend it or not. It had not been passed to print yet. It was just a few days before it passed to print that I was in the building and he handed me the envelope. He did not say very much about the ordinance at that time. I did not open that envelope at that time. I opened it in my private office in the City Hall and found \$5000 in United States currency in it, but I could not say at this time what size bills they were. What I did with those bills was I used them to pay out bills in different ways, in my business and in different things." (2377-79)

I did testify in the Gladstone as follows: "Q. In the meantime had you sent Mamlock to Malsey? A. I think I had, that afternoon or that morning. I told Mamlock that Malsey wanted to see him at the Mills Building. I don't think I had the money when I told Mamlock; I think I called later in the afternoon and got the money." I did not tell Mamlock to go down and get the money. I told him Malsey wanted to see him and I don't think I had the money when I told Mamlock. (2343 & 4)

I did testify on May 15th, 1908, as follows: "It was not very long before the vote was taken in the matter that I got this \$5000 from Malsey because on Sunday night I think I got the board lined up for the Home proposition and on Monday the matter was passed right through; there was a feeling among the board, that it was a bluff to make them come through with a little more money or meet the figures at the caucus on Sunday night before the board voted for the Home, and on Monday it was passed in the board." (2434)

I did testify before the Grand Jury that Malsey said that if I looked after the interests of the company there would be \$5,000 more, but I now say that he said it would be \$3500, and possibly it might be \$5,000. The definite understanding was only \$3500. (2358 & 9)













CHAPTER III.

CRIMINAL METHODS OF THE PROSECUTION TO  
GET THE SUPERVISORS IN THEIR POWER.









CHAPTER III.

CRIMINAL VERSIONS OF THE PROSECUTION TO  
THE THE PROSECUTION IS THE POWER.



INDEX OF LEADING LINES.

- (a) TESTIMONY OF SUPERVISOR BAXTON AT THE CATHERINE TRIAL, #1436:  
ENTERED THROUGH AT ROY'S HOUSE; STAYED 1900 AND WENT TO  
TO DETAIN IT;  
GALLAGHER, ALREADY IN WITH PROSECUTION, BOOTHED BAXTON  
WENT IN AN HOUR THAT HE WAS NOT TRAPPED;  
BAXTON WAS TRAPPED IN OIL GUIDANCE MATTER;  
ROY TELLS BAXTON IT WAS A TRAP AND THAT THE BOOTH WAS  
WITNESSED BY "HARRISON AND HE AGREES A CERTAIN RE-  
TURN OF THE PROSECUTION GAO AND BAXTON;  
BAXTON DRAGGED AND IN CONTOUR;  
BAXTON DROVE THE MATTER OVER TO ATTORNEY OVERT;  
AT ROY'S HOUSE AROUND THE 1st OF JANUARY BAXTON TELLS  
HIS STATEMENT IN PRESENCE OF LAMING AND STANFIELD  
AND THEIR IMMUNITY CONTRACT; SPRINGFIELD HOLDS THE CON-  
TRACT;  
BAXTON'S STATEMENT AT ROY'S NOT POSSIBLE AS ANY OF THE  
FOUR TRIALS; IS SPRINGFIELD'S POSSESSION;  
GALLAGHER, ALREADY WORKING WITH THE PROSECUTION, PROPOSED  
BAXTON TO MAKE HIS RAINIER-ROCK STATEMENT, ASSURING  
HIM THAT THE TRAP WAS ALL RIGHT;  
UNDERSTOOD PROSECUTION HAD GIVEN O-K FOR STATEMENTS;  
DENIES GOING TO KNOWLEDGE OF FUGITIVE AND MISSING GAL-  
LAGHER THERE;  
THE CONTRACT OF IMMUNITY AND THE RAINIER STATEMENT SIGNED AT  
RAINIER'S HOUSE;  
BAXTON TELLS BAXTON TO MAKE PAIR AFFIDAVIT;  
IDENTIFYING HIS RAINIER STATEMENT;  
DETAILS HIS TRAPPING AT ROY'S HOUSE;  
GALLAGHER WINDS BAXTON IN A STABLE HEAVILY AFTER THE TRAP-  
PING AND TELLS HIM THAT IT WAS A TRAP;  
BAXTON AND ROY WIND OF BAXTON TO "DOOR AGAIN;"  
BAXTON, BAXTON, SPRINGFIELD AND LAMING SOME OF BAXTON TO  
"DOOR AGAIN;"  
WENT UNTIL MIDNIGHT;  
THEY TELL HIM ROY'S HAVE CONFESSED AND TELL HIM THEIR  
VERSION OF THE VARIOUS MATTERS;  
BAXTON'S RELEASED WITH BAXTON, AND ROY'S HAVE AS ON THERE;  
STAYED AT RAINIER'S;
- (b) TESTIMONY OF SUPERVISOR LAMING AT THE CATHERINE TRIAL, #1436:  
NOT IMMUNITY IN BAXTON, PAID LAMING, BAXTON AND BAXTON AT  
ROY'S HOUSE; PROVIDED IS IMMUNITY HE SAW THE CON-  
TRACT;  
BAXTON'S REMAND IMMUNITY AT ROY'S HOUSE AS A TRAPPING;  
TRAPPING BY ROY AT CATHERINE RICH IN FEBRUARY OR MARCH;  
AFTER HEAVING BAXTON TRAPPING AND BEFORE THE TRAPPING AT  
ROY'S HOUSE, HE TALKED OVER THE FORMER WITH WILSON  
AND GALLAGHER AND THAT THE THREE OF THEM TALKED IT  
OVER WITH BAXTON;  
A WEEK OR TWO DAYS LATER WENT TO ROY'S HOUSE AND TRAPPED  
AGAIN; DETAILS AN EXPLANATION'S TRAP;  
MADE HIS CONTRIBUTION THERE AT ROY'S HOUSE OF THIS LATER  
OCCASION IN PRESENCE OF BAXTON, LAMING, BAXTON AND  
OTHERS;



HAVE TO RECALL THE \$500 RECEIVED AT ROY'S HOUSE AND HAVE  
THE OTHER \$500 RECEIVED AT THE BEATING RINK TO HIS  
WIFE;

(a) TESTIMONY OF JUDITH W. BOWEN at the CALCOCK TRIAL, #1436:  
PRIVATE INVESTIGATION, FEBRUARY 2, 1967,

MONDAY EVEN, 1967, AT BEATING RINK AT BEACH AND PLACES  
NEARBY WITH BOWEN, BOWEN AND BOWEN ALL IN THE ROOM;  
SHE THREW THE MONEY, BOWEN, BOWEN, BOWEN AND  
ROY IN APPROX 1967; TWO BOWEN AND BOWEN IN 1967, SHE  
NO MONEY PASSED; SHE SEVERAL BOWEN;  
TUESDAY, BOWEN, AT ROY'S HOUSE WITH BOWEN, BOWEN AND  
ROY, BOWEN BOWEN BOWEN; SHE NO SUPERVISION;  
WEDNESDAY, FEB. 11, 1967, AT BEACH PLACES IN BEATING  
RINK WITH BOWEN AND BOWEN; SHE ROY IN APPROX 1967;  
THURSDAY, FEB. 12, 1967, AT ROY'S HOUSE AND SHE THERE  
NO SUPERVISION, AND SHE NO MONEY PASSED;  
FRIDAY, FEB. 13, 1967, AGAIN AT BEATING RINK ROOM WITH BOWEN  
AND BOWEN;  
FEB. 14, 1967, I DID NOT SEE MONEY PASS AT BEATING RINK (I SAW  
A BOWEN A BOWEN AND SHE I SAID I SAW ROY); ROY  
PASSED \$500 TO BOWEN; BOWEN, BOWEN AND BOWEN;  
SATURDAY, FEB. 15, 1967, AT BEATING RINK AND  
BEATING RINK 2 O'CLOCK UNTIL 3 O'CLOCK, SHE SAW NO MORE  
MONEY PASSED THAT DAY;  
SUN. 16, 1967, WATCHED AT RINK BUT SAW NO MONEY PASSED;  
MON. 17, 1967, AT ROY'S HOUSE WITH BOWEN AND BOWEN; SHE  
HEARD OF ROY BEATING BOWEN; BOWEN;  
TUESDAY, FEB. 18, 1967, AT ROY'S HOUSE ON MON. 17,  
1967, AFTER LONG CONVERSATION; BOWEN; BOWEN, BOWEN  
BOWEN, BOWEN, BOWEN AND BOWEN WITH BOWEN;  
WEDNESDAY, FEB. 19, 1967, AT ROY'S HOUSE, WITH BOWEN  
WAS UPSTAIRS TAKING HIS STATEMENT;  
THURSDAY, FEB. 20, 1967, THAT AFTERNOON AND FRIDAY SAW BOWEN AT ROY'S  
HOUSE;  
SAT. 21, 1967, SAW NO MONEY PASSED IN ANY OTHER  
PLACE THAN BOWEN;  
SHE SAW BOWEN IN BOWEN'S BEATING RINK;  
BOWEN AND BOWEN AND THE ONLY SUPERVISOR SHE EVER SAW  
ROY AND SHE MONEY TO; SHE THREW THE MONEY PASSED  
TO BOWEN;  
SHE THREW THE MONEY TO ROY, AMOUNTS: \$2,000 on  
FEB. 2, 1967, and \$2,000 on FEB. 11, 1967;  
AFTER AT PRIVATE INVESTIGATION FOR BOWEN DURING THIS PERIOD;  
NOT PRESENT WITH BOWEN OR BOWEN WITH BOWEN;  
OVER VISIT TO ROY'S HOUSE;  
TAKEN DOWN CONVERSATION OF ROY WITH BOWEN OVER THE TELE-  
PHONE ON FEB. 10, 1967; BOWEN AND BOWEN;  
SHE SAW BOWEN AT BEATING RINK BUT BOWEN DID NOT  
UP WITH BOWEN;  
ON FEB. 9, 1967, NOT INVOLVED TO BOWEN OR BOWEN SUPERVISOR  
FROM THE BEATING RINK.





- (a) Testimony of Supervisor Gallagher, at the James Trial, #1436:  
Takes notes and takes in Loughran statement; was  
about March 6;  
Went initiation of trapline; Wilson spoke to him and  
also Owen;  
Hear Spracklin furnished the trap money;  
Went out Spracklin at Presidio place with 1st O'Brien as  
result of communications made in O'Brien of Brown  
trapping;  
How came to conclusion that he ought to take to Spracklin  
O'Brien told him of Brown trapping and O'Brien of in-  
activity, and G. understood that Loughran and Wales  
had already made statements and two Brown also was  
in trouble;  
Advised with Wilson and Spracklin photo of Brown being  
conducted;  
Did not know but believed Brown had already O'Brien  
conclusion of activity; did not advise him to go and  
mentioned was talk with him about it;  
Mentioned with Brown a check from the Presidio after receiv-  
ing materials, but did not advise him; told him had  
no advice to give him;  
Brown's immunity probably discussed at Board's caucus on  
immunity;  
Wilson, Brown, Gallagher and Owen's meeting previously re-  
ports G. went to Presidio;  
Hear in advance that trapping would be attempted;  
Hear "Chronicle" article of February 12, 1907 on trapping;  
Hear Loughran that his employment was a trap;  
(b) Testimony of Rudolph Spracklin at the Calhoun Trial, #1436:  
Present at Roy's house the day Brown was trapped; took  
and assisted in endeavoring to get him to court;  
Brown was his dentist; did not see Wales nor Lough-  
ran since then;  
Went then in Spracklin's employ;  
Thinks Brown confession taken at Barker's after Brown  
talk with Gallagher at Presidio;  
Gave Loughran confession before meeting Gallagher at Pre-  
sidio;  
Present at Roy's confession at Barker's;  
Furnished the money for trapping Brown; don't think ever  
got it back;  
Did not advise witness trapping of Brown at Roy's house;  
Held Brown immunity contract;  
Wales trapped with money furnished by Spracklin;  
Paid \$7,500 to Roy;  
Paid \$50 a month for taxes owing to Loughran; through  
Microfilm Light Co., i.e., Feb. 9, 1907 and Feb  
22, 1907 and March 2, 1907;  
Read "Chronicle" on trapping;  
Oil ordinance subsequently introduced in Board of Super-  
visors regarding to trapping in hearing with Owen;  
Discussed with Board and other members of Board protection  
about getting up the oil ordinance.
- #



(a) TESTIMONY OF SUPERVISOR DIXON AT THE CALSON TRIAL, #1456.  
BOXTON TRAPPED AT ROY'S HOUSE; GIVING \$500 AND NEVER WAS  
TO RETURN IT;  
CALLAHAN, ALREADY IN WITH PROSECUTION, NOTIFIES BOXTON  
WITHIN AN HOUR THAT HE HAD BEEN TRAPPED;  
BOXTON NOT TRAPPED IN OIL OILIFICATION MATTER;  
ROY TELLS BOXTON IT WAS A TRAP AND THAT THE BOOBY WAS  
SURRENDERED BY SPRACKELS AND HE ARRANGED A MEETING  
BETWEEN THE PROSECUTION GANG AND BOXTON;  
BOXTON SHOWED UP IN CUSTODY;  
BOXTON WROTE THE MATTER OVER TO ATTORNEY OWENS;  
AT RAKER'S HOUSE AND ON THE 1st OF MARCH BOXTON SIGNED  
HIS STATEMENT IN FAVOR OF BURNS AND SPRACKELS  
AND GAVE IMMUNITY CONTRACT; SPRACKELS HOLD THE  
CONTRACT;  
BOXTON'S STATEMENT AT RAKER'S NOT PRODUCED AT ANY OF THE  
FOUR TRIALS; IN SPRACKELS' POSSESSION;  
CALLAHAN, ALREADY WORKING WITH THE PROSECUTION, PROCURED  
BOXTON TO MAKE HIS RAKER-HOUSE STATEMENT, ASSURING  
HIM THAT THE TRAP WAS ALL RIGHT;  
UNKNOWN PROSECUTION HAD BEEN OVER STATEMENTS;  
WENT TO NEIGHBORHOOD OF MEXIDIO AND MEETING CAL-  
LAHAN THERE;  
THE CONTRACT OF IMMUNITY AND HIS RAKER STATEMENT SIGNED AT  
RAKER'S HOUSE;  
BURNS TELLS BOXTON TO SIGN STATEMENT IMMEDIATELY;  
IMMEDIATELY HIS RAKER STATEMENT;  
HOLDING HIS TRAPPING AT ROY'S HOUSE;  
CALLAHAN TELLS BOXTON IT A TRAP, THOUGH AFTER THE TRAP-  
PING AND TELLS HIM THAT IT WAS A TRAP;  
BURNS AND ROY TALK TO BOXTON TO "COOK ACHORS";  
BURNS, BURNS, SPRACKELS AND BURNS TALK TO BOXTON TO  
"COOK ACHORS";  
HOLD UNTIL IMMUNITY;  
THEY TELL HIM SEVEN HAVE SURRENDERED AND TELL HIM THEIR  
VERSION OF THE WHOLE MATTER;  
BOXTON'S RELATIONS WITH RAKER, AND HOW HE CAME TO GO THERE;  
EVENTS AT RAKER'S.

"I got money on the skating rink ordinance, which was to pre-  
vent children of immature years from attending skating rinks. Roy  
asked me to vote against it, and he intimated that there would be  
something in it, and he gave me something in it and then I found  
out it was a trap.

"I went to Roy's house on a telephone call and met him there  
and he there told me that the skating rink proprietors had raised  
a fund and there was \$500, and I kept that money and spent it down  
the line.

"I did not know that was Spreckels' money, but I was told so.  
It was some time after Roy gave me that \$500 that I saw Spreckels,  
probably a month.

"I left Roy's house with the money, and Mr. G. told me within  
an hour afterwards that I had been trapped, and that the skating  
rink ordinance was a fake.

"To the best of my recollection it was some time in the early  
part of March after that that I saw Burns; I am not confusing the







"skating rink ordinance with the oil ordinance. That oil ordinance matter never came up, and I did not receive any money on it, and I was not offered any that I can remember. "G. told me I had been trapped on the skating rink ordinance.

"How I came to see Burns was that some time afterwards a boy telephoned and asked me to call at his house. And at that time he told me that Burns knew all about it, and knew all the evidence, and he mentioned different names and said they knew all about it, and they would like to see me, and Henry and Apreskels; and he told me then that they had all the facts and the numbers of the money and the dates, and that the money had originally come from Apreskels, and that was about a month afterwards, as near as I can remember, three weeks or a month, a substantial period (1738-41).

"I said to Roy if those parties were there to send them in, and that was while I was at Roy's house, and they were waiting there for me and I saw them.

"I left that evening and went to my house accompanied by a stranger. I left the house in an automobile and all the streets were crowded; and the next day I went about my business and I suppose they were behind me all the time, but I did not pay any attention to them. After I left there I promised them I would not mention it to G. and neither did I.

"I sent for my attorney, Mr. Orens, and explained the situation, and turned the whole matter into his hands; that ever arrangements were made in my behalf after that were made by him (1742).

"I eventually went to the house of Mr. Radke and there made a statement under a contract of immunity; London gave me that contract, and Apreskels was present when I made that statement, and Apreskels held the contract. The persons present were London and Apreskels and the lady stenographer; that was somewhere around the 15th of March, I think, about the first of March, all those things came very close together. I do not know how many days it was before the other statements were made, but it seems to me it was over a week (1744).

"I think I saw G. once before I went to Radke's house after I was trapped; I did not discuss anything with him then. I simply met him by appointment, and he told me everything was all right; that was between the trapping when I got the money from G., and the time I went to Radke's house; it was about just a half an hour before I went to Radke's house. It must have been fully a week or more after I was trapped before I went to Radke's house. I saw G. more than once.

"As to your question when I first talked with G. and how I came to see him, I say you will have to understand that when that money was paid to me that was one occasion; a week or more after that Roy telephoned to me and told me to call at his house I went, and at that second visit to his house I met the gentlemen that I mentioned, and from that time on I never spoke to G. until within half an hour of going to Radke's and when I met G. on this latter occasion, I did not tell him anything, but he told me a whole lot of things, he was looking for me and I did not just happen to meet him, and that was within an hour after I had taken this money from Roy; he told me I had been



"trapped; I told him I had taken this money from Roy. I don't know how he came to bring the subject up, but he had a hunch, I guess, one of those atmospheric conditions.

"That G. said when he came up to me on that occasion that I think he was looking for me on was that he told me he had been looking for me and he then asked me about this man Roy, and told me he didn't think he was any good, and that I should not have anything to do with him, and I liked along those lines. I told him I thought he was mistaken and then I told him I had taken some money from him on the skating rink, and G. said, 'Well, make the best of it.' He felt that I had been trapped, but he wasn't certain and I doubted it, as I had known Roy a long time and I did not believe it. Then time went on for a week or more and Roy telephoned me and asked me to go to the house and I went and met Speckels and the rest of them. It was probably a week between the time that I went to Roy's house in answer to his telephone and the time I went to Radke's house and made a statement, and during that week I was under surveillance (1944-7).

"I have seen the statement that I made at Radke's; the last time I saw it is a long while ago, and it was then in Speckels' possession, I think; I don't think it has been produced at any of the trials. I did not keep a copy of it. It was written out and I signed it before a notary, Miss Conson. I believe it was typewritten out there. I signed it. She was the stenographer too.

"Q. How long after that did you tell G. that you had been up there and made a statement? A. He knew it, he told me to go ahead and do it.

"It was probably a week or two weeks after that that I went before the Grand Jury. I was told about that time that they had seven different parties who had given them a statement, but I did not understand how many supervisors there were, nor did I understand directly that any supervisor had, nor did I understand that Lonergan and Walsh had, but I don't know where I got the information, but that recollection is in my mind (1947-9).

"I never did go into the neighborhood of the Presidio about that time, nor did I meet G. out there. While I was at Radke's house I did not see him in the neighborhood of the Presidio, a block or two away. I don't know if I saw him then he was coming from the Presidio in an automobile.

"I know I saw him, but I don't know where he came from. It was within a block of Radke's house, which was out somewhere near the end of California Street. In answer to your question if G. said he had been seeing Speckels, I say no, he did not tell me anything except that the thing was all right and to go ahead and make the statement and I thereupon did. Speckels was not accompanying G. then.

"As to your question how soon after seeing G. out there near Radke's house in his automobile it was that I saw Langdon and Speckels and made my statement, I saw I met them at Radke's house when I went there. They were there when I arrived. I don't know where Gallagher came from. A. Was it more than fifteen minutes before you made your statement that you saw G.? A. About that, it would take about 15 or 20 minutes or half an hour. There may have been some little talk before I made the statement in Radke's house. That is the time out there at Radke's house that G. told me to go ahead, that it was all right; and I met him about a block from Radke's house.



"right; and I met him about a block from Nabe's house.  
"at Nabe's house that G. told me to go ahead, that it was all  
"made the arrangements as follows: -

"I did not know that he just came from the Presidio and Spreckels, and he did not tell me; he simply gave me the ultimate fact that it was all right (1749,50).

"I think everything was signed up there. I know I signed some papers, but I don't know just who else did so; Lumsden signed the paper and I think Spreckels did, but I am not sure; that paper was left in Spreckels' hands and I don't think I have seen it since. I think it was called for at one of the trials, but I think Spreckels did not have it with him (1750,1).

"With regard to Burns' request that I make a false affidavit, to the best of my recollection it was not after my statement, but after the affair at Roy's; Burns did tell me to make a false affidavit, and I suppose it is so that that was an affidavit which both he and I know to be false.

"Burns and Spreckels were there when I received immunity; I don't think Spreckels heard Burns tell me to make a false affidavit, but all the gentlemen were present in Roy's house at the time, but Burns and I were alone, and we were alone a good deal that evening, but I never made that affidavit as it was never necessary (1767,8).

"The paper now handed me is the one which was handed me on Saturday afternoon of last week by Mr. Henry at his office, and is the paper about which I have testified, and that is the statement made by me at Ladke's house on March 14, 1907, and I swore to it upon that date and that is my signature to it, and that is my initial on each page of the document written by myself and put there at the time I signed the document (1837).

"The money in connection with the skating rink ordinance was paid to me by Mr. Roy at his private house, and I think it was Laguna and Sutter, or somewhere in the northern part of the city, and I was seated in his front parlor when he paid it to me. And there were folding doors between the back parlor and the dining room and the back and the front parlor were practically all one room; he took from his coat pocket an envelope with quite a lot of bills, currency, and separated off a certain number and handed them to me; he did not count them out loud as he handed them to me, not that I remember, but he might have; we were both seated in the front part of the parlor at the time, and I guess I was almost on a direct line with the opening of the folding door, and it was in that same room in which I was called on a day later in March and informed by Roy that the Prosecution knew about his paying me the money, and he told me then that others had been in the other room at the time the money was handed to me, Mr. Burn and others; and those others might have been at Roy's house on that evening that he told me about it, there was quite a number there that evening; I can't say if Mr. Seales was one of them, because I don't know him by name. I saw no one but Roy there the occasion I got the money, and I thought Roy was all right (1851-2).

"I went over on the Fillmore street cars and got off at Eight Street, and got off at his stable and went in, and Mr. G. came in directly after I did. We had talk together and we walked out of the stable and went down the street, and he suggested that we go into an ice cream parlor, and he said "There are too many people standing around the sidewalk," and we went inside and sat down and he told me what he thought about it. I went to the stable for a team but I did not have appointment with Mr. G., but





"he came in afterwards while I was there, and he told me he had been looking for me. That he said to me in the parlor was that he asked me about that skating rink proposition, and I told him what had happened, and he said he thought it was a trap and that he thought it was all wrong and that I shouldn't have done, and all that sort of thing, and I told him I thought he was mistaken, that I did not think it was possible for any man, and he said, "All right, if you think you understand this better than I do, go ahead," and I said, "Well, I will look out for that." "I had not heard any rumors before that directly that any effort was being made to trap supervisors. Yes, there were some rumors to that effect around, but none of them had connected Roy with it. This stable was my regular place for keeping my team, and that was known to G., he lived right in my neighborhood at that time on Pierce Street, and that was Mr. Rayley's stable on Eighth near Pierce (1882, 4).

"The afternoon that I went to Roy's house he told me that certain parties were there who wanted to see me, and I said all right; Burns explained to me that he knew all about it, told me where I had gone, what I did; I supposed that someone had been walking behind me; Burns was trying to get me to make a statement in connection with matters in the board (1854). Roy told me at his home that the Prosecution or the district attorney's office had all the information in regard to the skating rink, and that it was really a trap, but that he had nothing whatever to do with it, and that it was framed by Maestretti and Rhein, and that he had been pulled in the matter, and that there were certain parties in the house on that day who saw him pass that money to me, and that it was Spreckels' money, and that they had the date and numbers of every piece of it, and that he wanted me to give him information in certain matters, and that if I did not do it I knew what to expect as to the skating rink proposition, but I declined to do so, and denied it, and Mr. Roy denied it in my presence. He said he never had any business dealings with me, and I stayed there until quite late that night, but I left as you know, still denying it (1856).

"After Roy had that talk with me, I had a talk with Burns, Henry, Spreckels, and London all on that evening, and sometimes I talked with all of them together, and sometimes with part of them (1857).

"On the occasion when Burns told me about knowing where I went after I left Roy's house, the day I got the money, he told it just exactly as it happened, that I went away in a carriage car and just where I got off, that I had gone to the stable, that G. met me there, and that we came out and went down the street and went into an ice cream saloon and stayed there a certain length of time, I think he had the exact time, but he did not tell me how he knew it, and I did not know. He might have told me that he had followed me, but I don't remember, and he said they saw Roy pass the money to me and heard him count it, and all that, and he read it off to me from a little note book, the numbers of the bills, and I believe he said there was a stenographer there when he saw the money passed to me by Roy, although he might have said there were others; I think he read off to me the conversation between me and Roy at the time; I think he called in a stenographer and had her read it to me; I remained





"there u til about midnight, and I continued to deny taking the  
"skating rink money, and everything else (1857,8). I was told  
"on that occasion that there were seven who had already made  
"statements, and that amongst them there were some supervisors,  
"probably all supervisors, and I was told that night by Langdon  
"or Hency or Burns how much the amount was that was paid in the  
"different matters; Burns told me that; I don't say that they all  
"mentioned it, but that convinced me that someone had made a state-  
"ment (1858).

"Radke was a friend of mine, and how his house came to be  
"selected was that he called at my house a couple of times previous  
"but I don't know just how that was arranged; he called alone;  
"on the morning I went to his house I did not have any engagement  
"to meet Mr. G.; I would like to correct that, I think if I am not  
"mistaken Owens told me that G. would be there at a certain time  
"in the neighborhood of Radke's house, and Owens also told me that  
"I was to go to Radke's house (1860,1).

"By conversation with G. on the street near Radke's house  
"was very short, and I just shook hands with him and asked him if  
"it was all right, and he said, "Yes, you go ahead and make your  
"statement;" I think Radke's house was on Bush or California  
"street or somewhere up there, but I am not sure as I have not  
"been in that neighborhood for a long time (1861,2).

"That I went to Radke's house Langdon was there and I  
"think Burns was there, and if I am not mistaken Hency was there  
"and Spreckels came in later; when I was being examined Langdon,  
"Miss Condon and Spreckels were there (1861,2). It may be that I  
"did not see Hency and Burns until after I finished my statement  
"and came out into the hallway; I met them there that day, but I  
"cannot say whether it was before or after my statement (1862).

"In answer to your question whether Gallagher said any-  
"thing to me in the ice cream parlor about how he came to ask me  
"about the skating rink, or how he knew anything about it, I say  
"he knew it was pending, and he thought there was something  
"wrong with it, but I don't remember that he said anything about  
"having any talk with Roy, and I don't know that he said anything  
"about Roy having offered him money in it; and I know he said he  
"had a talk with Roy about the bills (1862).

"I went to Roy's house and took that money in his parlor  
"and did not think it was a trap, and left the house, and then I  
"went to Fillmore Street and to a livery stable and G. caught up  
"with me; and he told me he had been looking for me sometime;  
"after that I went back to Roy's house in answer to a telephone  
"and there I met Burns, and he told me where I went and whom I met  
"when I left Roy's house, but I don't know how he knew it, but still  
"I don't say that I hadn't any idea of that. My idea is that he  
"imply trailed me, put a man on my track, and I was not avoiding  
"anybody and I was not masked (1868,9).

"I think on that occasion Burns told me the amount of  
"money received in these various matters; I don't remember if he  
"told me the amount of the bills and the kind of bills, but he may  
"have; as to your question if he told me something about the size  
"of them in a general way, I say he seemed to have a pretty good  
"idea; I cannot say that he went into details closely, but he did  
"to a considerable extent, he just let me know that he had a pretty  
"good idea of everything; I did not make a statement on that occasion;  
"I made a statement on a subsequent occasion, and when I made the





"statement I was going to tell whatever was asked. I did not understand that I was to be asked about this \$500 that I got from Roy; I thought they would not bring it up, but they did not tell me that I was not going to be asked about it; I supposed there would not be any necessity for bringing it up, but I cannot tell you how I got that impression for I felt a little put out about it when I was not protected in that behalf; I made my statement concerning the receipt of money out at Madke's; I did not make any statement at Roy's (1869-71).

"I understood that I was giving the Madke statement under immunity, but I didn't look at it as if I were practically forced to make it by the threat of prosecution by the Roy matter; but Roy did tell me that if I did not come through with a statement about some matters that I would be prosecuted, and that they had the evidence on me with respect to the Roy transaction, and that I could know what to expect if I did not come through with a statement. I knew that that statement says it was free and voluntary, but it was immaterial to me what Roy had told me if I did not come through they would put me in San Quentin, after the board of supervisors told me to make the statement (1880).

"I think Burns told me that he was in the back room at the time I received the money from Roy, and that a stenographer was there, and he may have mentioned someone else, but I don't remember now; I don't think that he mentioned that Spreckels or Henry or Langdon was there (1882).

"Before leaving S's house that night I remember I said 'I would like to talk it over with G. but that was not agreed to and I was requested not to speak to G. and I did not (1902)."



(b) TESTIMONY OF SUPERVISOR LANGDON AT THE CALHOUN TRIAL, #1438:  
"NOT IMMUNITY IN MARCH, WHEN LANGDON, HENNEY AND BURNS AT  
ROY'S HOUSE; PROMISED IT LONG BEFORE HE HAD THE  
WRITTEN CONTRACT;  
DOWNEY'S CONTRACT PROMISED AT ROY'S HOUSE AS A TRAPPING;  
TRAPPING BY ROY AT SKATING RINK IN FEBRUARY OR MARCH;  
AFTER SKATING RINK TRAPPING AND BEFORE THE TRAPPING  
AT ROY'S HOUSE, HE TALKED OVER THE MATTER WITH WILSON  
AND SUTTER AND THEN THE THREE OF THEM TALKED IT  
OVER WITH ROY;  
A WEEK OR TEN DAYS LATER WENT TO ROY'S HOUSE AND TRAPPED  
AGAIN, DETAILS AND EXPLANATIONS UNKNOWN;  
BUT HIS OCCURRENCE TOOK AT ROY'S HOUSE AT THIS LATER  
OCCASION IN PRESENCE OF HENNEY, LANGDON, BURNS AND  
OTHERS;  
GAVE TO BURNS THE \$500 RECEIVED AT ROY'S HOUSE AND GAVE  
THE OTHER \$500 RECEIVED AT THE SKATING RINK TO HIS  
WIFE;

"I understand my contract of immunity is in some safe deposit  
"box but I do not know personally where it is nor who has it,  
"but the last time I saw it was in the ante-room of the Board  
"of Supervisors and Mr. Gallagher then had it. I had been prom-  
"ised immunity a long time before I ever saw that contract and in  
"March I should judge, and the promise was made to me by Langdon  
"and Heney, and Burns was there at the time but Spreckels was not,  
"and that was in the house of a man named Roy on Laguna Street  
"(150,1).

"When I was promised the immunity there was also pre-  
"sent the stenographer and another man, and possibly Roy. I was  
"caught in some kind of a trap there; I had been trapped before;  
"in answer to your question how many times they trapped me in all  
"I answer that I would not consider that they trapped me on that  
"occasion and I only look at it that I got trapped once; I would  
"not consider that I got trapped down at Roy's.

"Where I was trapped was at the skating rink at Steiner  
"and Sutter and that was in either February or March and who it was  
"that trapped me then was Roy; he gave me some money to vote against  
"the skating rink ordinance and told me that it was money subscribed  
"by five skating rinks, but I found out that that money was money  
"given by the Prosecution, as I understood (152,3).

"Before the occurrences at Roy's I did tell somebody  
"about my having been trapped at the rink: Wilson came to me on  
"the street and asked me if I had received any money from Roy and  
"I told him that I had and we talked about the matter for a little  
"while and we shortly afterwards met James L. Gallagher and I  
"presume that Wilson spoke to Gallagher of the matter and then the  
"three of us proceeded to find Ruef and I told Ruef that I had  
"taken some money down there from Roy at Roy's skating rink and  
"Ruef said that I had no right to do it and advised me to give it  
"back to him, and I said I didn't see the good of doing that but I  
"can't recollect whether Ruef said for me not to do it again but he  
"did say that I had done wrong in taking the money from Roy; that was  
"somewhere along in February or sometime early in March.

"A week or ten days later I went to Roy's house and took  
"some more money in the same amount and the same kind. In answer  
"to your question if I mean to say that after having been warned that





"I had been trapped once by Roy I went right straight back within a week and took money from Roy again, I say that when I went to Roy's house on that day I had no idea what Roy wanted me for; he telephoned to me continuously the day before at my home that he wanted to see me and I called at his home feeling at the same time that he was putting up some job on me; while I was there he handed me \$500 more for some other ordinance; but that was not a fake to my knowledge. I did not go there for the purpose of pulling off a fake; that did not look like a trap; I sat at the window there that day when I went into Roy's house and he said to me, "Oh, Tom, make yourself comfortable," pulling out a large chair in front of a table about the center of the room, and there were folding doors at the end of the room and I then thought that it was the first move of the trap, that I would see what he was going after, and so I sat in the chair and he said to me, "Tom, what I wanted you for was about the ordinance with regard to the oil, and I told you a little while ago that there would be a thousand dollars in it but there is not, there is only five hundred dollars, I have made all arrangements with Jim Gallagher to be the go-between and I am going to do the handling of the money now for the Board; the next thing that will come along will be the theatre ordinance and then will come something that will raise the hair off your head and I want to get in on that myself," and about that time he took money from his pocket; he said "Here is your \$500 for the oil deal," and he commenced to count it out and I said "Oh you don't need to do that, I will take your word for it," and I took the money and walked over to a picture on the wall and said "Who are those?" And he said "Those are my family," and it was within hand reach of the door and I said "What have you got in here?" and I pulled the folding doors and got them opened some and just then Burns threw the doors open and said "Now, Loneragan, I have got you." (153-7)

"I don't remember that I had ever before that time met in any room with Mr. Roy and any supervisor. I had known Roy possibly a year and apparently he was one of the pillars of the administration. I had been to his restaurant only once; I had seen Roy down at the skating rink and had taken money from him down there and when he rang me up to come to his house on this second occasion I firmly believed that he was putting up some job on me (158-60).

"It was another ordinance that I took money about in Roy's house; and I made my alleged confession there in the presence of Heney, Langdon, Burns and those two other men (160).

"Of the \$1,000 that I got at the skating rink and at Roy's house I passed \$500 of it to Mr. Burns and I turned the other \$500 over to my wife. I gave the 500 to Burns on the day that he found me at Roy's house (184).

"The day I went before the Grand Jury was a few days after the day on which I made the confession at Roy's house (211)."





(a) TESTIMONY OF JUDITH E. JONES, at the CALHOUN TRIAL, FILE:  
PRIVATE INVESTIGATION FOR WILLIAM E. WHEELER  
 FEBRUARY 24th, 1907, AT BEATING RING AT MOTHER AND FATHER  
 OF ROY WITH MURDER, BEATING AND BEAT IN ONE ROOM;  
 SAW THEM FOR POKER, MORTGAGE, POKER GOPOVICH AND  
 NOT IN ANOTHER ROOM; TWO HOUSES AND BEAT IN ROOM, SAW  
 NO MONEY PASSED; THERE MORTGAGE BEAT;  
 NEXT DAY, MUNDAY, AT ROY'S HOUSE WITH MURDER, BEATING AND  
 ROY; THERE THREE HOUSE; SAW NO SUPERVISOR;  
 NEXT DAY, MUNDAY, FEB. 11, 1907, AT BEAT PLACE IN BEATING  
 RING WITH MURDER AND BEATING; SAW ROY IN ADJOINING ROOM;  
 THREE HOUSE; THAT EVENING AT ROY'S HOUSE AND SAW THREE  
 ROY, BEATING AND BEAT, AND BEAT TWO HOUSE, BUT SAW  
 NO SUPERVISOR, AND SAW NO MONEY PASSED;  
 NEXT DAY, FEB. 12, AGAIN AT BEATING RING ROOM WITH MURDER  
 AND BEATING;  
 FEB. 8, 1907, I DID NOT KNOW POKER AT BEATING RING (I MADE  
 A MISTAKE A MISTAKE AND WHEN I SAID I DID NOT); ROY  
 PASSED \$500 TO WALSH; SOMETHING TELLING AND TALK;  
 PRIVATE ASKED AN ANSWER OF FEB. 9 AT BEATING RING AND  
 STAYED THERE 2 O'CLOCK UNTIL 3 O'CLOCK, BUT SAW NO MONEY  
 PASSED THAT DAY;  
 FEB. 10, 1907, WATSON AT RING BUT SAW NO MONEY PASSED;  
 MARCH 7, 1907, AT ROY'S HOUSE WITH MURDER AND BEATING; THAT  
 EVENING OF ROY BEATING LONGMAN; BEATING;  
 LONGMAN MADE HIS STATEMENT AT ROY'S HOUSE ON MARCH 7,  
 1907, AFTER LONG PERSUASION; BEATING; LONGMAN, BEATING,  
 BEATING, BEATING, BEATING AND BEAT THREE WITH LONGMAN;  
 IDENTIFYING LONGMAN'S STATEMENT;  
 MARCH 7, 1907, SAW BEATING AT ROY'S HOUSE, WITH LONGMAN  
 AND BEATING MAKING HIS STATEMENT;  
 MARCH 7, 1907, THAT AFTERNOON AND NIGHT SAW WALSH AT ROY'S  
 HOUSE;  
 PRIOR TO MARCH 7, 1907, SAW NO MONEY PASSED TO ANY OTHER  
 PERSON THAN WALSH;  
 BEATING WAS IN SPRINGFIELD EMPLOYMENT;  
 WALSH AND LONGMAN ARE THE ONLY SUPERVISORS HE EVER SAW  
 ROY AND ANY MONEY TO; DON'T THINK SAW MONEY PASSED  
 TO BEATING;  
 SAW BEATING GIVE MONEY TO ROY; AMOUNT: \$2,000 ON  
 FEB. 8, 1907, AND \$2,000 ON FEB. 11, 1907;  
 ACTIVE IN PRIVATE SECRETARY FOR WHEELER BEATING THIS EVENING;  
 NOT PRESENT WITH BEATING ON WALSH MADE STATEMENT;  
 OTHER VISITS TO ROY'S HOUSE;  
 TAKEN INTO CONSIDERATION OF ROY WITH BEATING FROM THE BEAT-  
 TING ON FEB. 10, 1907; BEATING ANOTHER BEATING;  
 THINKS HE SAW BEATING AT BEATING RING BUT FURTHER BEATING  
 HIS OF HIS CURRENT BEATING;  
 ON FEB. 8, 1907, ROY TESTIMONY TO TALK ON THE SUPERVISOR  
 FROM THE BEATING RING.

"I am an attorney-at-law and I am in the office of Mr. Chas.  
 "S. Wheeler and I have been his private secretary between five  
 "and six years and I have worked at stenographic work for a good  
 "many years for Mr. Wheeler and was doing that for him in the  
 "year 1906 and 7 (4784).

"I met Mr. Golden M. Roy in the year 1907, the first part of  
 "February, I think and I think it was Wm. J. Burns who introduced





"me to him (4784,5).

"I did accompany Mr. Wm. J. Burns some day in February, 1907, to a skating rink conducted by Mr. Roy, I accompanied him there on more than one occasion; I first accompanied him there on February 9, 1907; that skating rink was at the corner of Sutter and Pierce streets; on that first occasion I met there Mr. Scales. I did not see any money pass from Roy to any person there on February 9th; on that first occasion I saw Mr. Poheim there and Mr. Maestretti and Peter Gopovich and Mr. Roy, and in the room where I was on that occasion were Burns, Scales and myself, and those other people that I saw there were in an adjoining room and I could see from where I was into the room they were in through a very small hole in the door and there were at least two holes and a crack in the door. While I was looking through the hole in the door Burns and Scales were looking through the other apertures; I remained there on that first occasion several hours (4785-8).

"The next day, which was Sunday, I was at Roy's house and in the same room with me then were Roy, Burns and Scales and I did not see any money passed to anybody by Roy on that day, and I did not see any supervisor there on that day, and I remained there from about nine o'clock in the morning until about noon (4789).

"On the next day, which was Monday, Feb. 11, I was again at the room first mentioned in the skating rink and Burns and Scales were with me and I saw in the adjoining room Mr. G.M. Roy, and I remained there on this occasion from about nine in the morning until about noon; on the evening of the same day I went to Roy's house and saw there Mr. Roy, Mr. Scales and Mr. Burns and possibly some other member of Roy's family and remained there from about eight o'clock until after ten but I did not see any money passed by Roy to any person on that occasion and I did not see any supervisor there (4789,90).

"On the next day, which was Feb. 12, I was at the skating rink again and in the same room first referred to, that small room, and with me there were Mr. Burns and Mr. Scales (4790).

"I made a mistake a moment ago and I desire now to say that on the 9th of February I did see money passed out at the skating rink and that was on a Saturday and it is the first day I have any note of having been there but I could not be positive whether I had been there before or not; I was in the little room first mentioned and the door into the room where Roy was was closed and I was looking through the hole and I saw Mr. Roy pass some bills, some bank notes or green-backs to Mr. Walsh and I heard Mr. Walsh saying as he came into the room: 'I want to show you that I keep my word,' and Mr. Roy then said: 'here is your \$500.' And Walsh said 'All right' and Roy then said 'Now, I want you to be sure that that thing will be killed next morning,' and Mr. Walsh said 'Oh, it will be killed surer than hell.' And Roy then said 'Well, I can't keep you any longer,' and Walsh said 'All right, I am much obliged, there won't be anything more to that.' That is the conversation I remember hearing at that time and I took it down in shorthand as it was being said; after Walsh left we stayed there for some time longer, I stayed there until about half past twelve when I left and returned subsequently in the evening to the same place and arrived back there at about two o'clock that afternoon and remained there until after three but I did not see any money pass to any other person on that day. Before that I had been shown some money by Burns





"and it was green notes or green-backs, gold notes and some others and I know that there were fifties among them and I have "a memorandum of them and there were other denominations which "I took down (4790-2).

"I did not see any money passed on Feb. 12 at the skating rink though I was there on that date from ten o'clock or thereabouts until half past twelve when I went to luncheon and returned at one in the afternoon and remained for some little time (5793).

"I was at Mr. Roy's house on the 7th of March, 1907, but "I am not positive if that was the next occasion on which I "went over to the rink or to his house; on this March, 7, 1907, "I was in the dining-room immediately back of the parlor in "Roy's house and Burns and Scales were with me and I had seen "Roy when I went into the house; that dining-room was separated "from the parlor by sliding folding-doors, double doors, and "I saw them close these doors except for a small crack between "them. Very soon after I went into the dining-room and shortly "before noon I saw Roy with Thomas Lonergan in the parlor and "they entered there just a minute or two after the bell rung and "I was looking through the crack between the folding doors and "saw there, Burns and Scales and I saw, Lonergan come in and "sit down and some, very few, words were passed between them "and then Roy passed Lonergan a roll of bank notes or green-backs, but I don't think I made any note of the conversation; "I remember that Lonergan and Roy were sitting in about the middle of the parlor where we could see them directly ahead and "after some words passed between them Roy either held in his "hand or took from his pocket a roll of bills and handed it to "Lonergan and Lonergan put the bills in his pocket and then "started some impersonal conversation, and then Lonergan began "to look at the pictures on the wall and walked back towards "the folding door and inquired about a picture and then Lonergan "took hold of the folding doors and tried to open them and did "so; we had been behind the doors up to that time and we all "stepped out into the parlor then with Roy and Lonergan after "trying to hold the doors shut for a moment or two, and Lonergan ~~xxxx~~ seemed to be very much excited and made some statement to the effect that he was trying to find out who it was "that was bribing supervisors and that now he had found out; "if Lonergan did not have the bills in his hand at that time "he did have them almost immediately afterwards because he offered to pass them back to Burns, saying 'Here is your money', "and he said something about having somebody arrested and it "is quite possible that he asked Burns to arrest Roy; I think "it was long after midnight when I left there and while I was "there Lonergan did make a statement in my presence and that "was quite a little while following the time when he pulled the "folding doors open, though he refused persistently to make any "statement and Burns talked to him quite a long time and finally he came through with a statement, and I took that statement down. Somebody sent out and got a typewriter and I took it upstairs and wrote the statement out there while Lonergan was present all the time and Langdon, Burns and Scales and Roy, "and Henry was there also and I typewrote that statement while "I was still in the house and a lady notary public named Miss "L. M. Condon, appeared there while I was still in the house. "(4793-99)

"That paper which you hand me marked 'People's Exhibit B "for identification,' and consisting of twenty pages, is the "Lonergan statement which I typewrote at Roy's house and which



"I signed there and to which I saw Miss Condon swear him to on  
"March 7, 1907 (4000)

"I saw Dr. Boxton at Roy's house on that day, March 7, 1907  
"but I did not see him enter the house but I saw him in the  
"parlor downstairs during some of the time he was there; it  
"seems to me that it must have been before Lonergan's statement  
"was completed; when I saw Boxton in the parlor, Lonergan was  
"upstairs in the front room; Lonergan remained up there until  
"the statement was all written out and signed and sworn to.  
"(4304)

"On that same night in March 7th, 1907, I saw Mr. Walsh  
"there at Roy's house; I first saw him there some time during  
"the late afternoon that day upstairs in the same building, but  
"Walsh was not in the same room that Lonergan was but was in a  
"some back room upstairs. (4305)

"It was after I saw Lonergan trapped on that day that I  
"first saw Boxton in Roy's house; I think I remained in Roy's  
"house that evening until Dr. Boxton left, as I was there until  
"a very late hour, after midnight (4305)

"At the time of the Lonergan trapping on March 7, 1907, I  
"saw in Roy's house, besides Roy, Burns, Scales and myself,  
"I saw Rudolph Spreckels there and another man whose name I  
"think was Foley, I saw them in the house there some time be-  
"fore I left on that occasion but not right at the time of the  
"trapping; after the trapping of Lonergan I saw Hency come into  
"the house and Langdon also; it was along in the evening some  
"time when I saw Spreckels there, I saw him in the house a num-  
"ber of times during the time I was there. (4305, 6)

"Prior to March 7, 1907, I did not see any money passed  
"to any other person than Walsh (4306)

"On no prior occasion did I see any money passed to Boxton  
"or Lonergan (4306, 7)

"Scales is a man in Spreckels' employ. (4307)

"It was on the 9th of Feb. 1907, that I saw Walsh receive  
"some money from Roy at the skating rink and it was in the day  
"time (227, 2) (4307, 8)

"Walsh was the only ~~sup~~ supervisor that I saw Roy hand any  
"money to at any time except Lonergan on March 7; I do not  
"think I ever saw Roy hand any money to Dr. Boxton, I think I  
"was not there on that occasion. I have in mind two payments .  
"(4308).

"I did see money turned over to Roy by Burns and I made a m  
"memorandum at the time of the amount, but independently of  
"that memorandum I could not say; there were some large amounts,  
"in the thousands; it was not as large as 5,000, I thought it  
"was probably 2,000; it was not as large as five thousand either  
"at one time or all together, not so large in my presence (4309  
"Speaking from my memorandum here I say that the amounts that I  
"saw ~~xxx~~ turned over by Burns to Roy h were as follows: Burns  
"gave Roy on Feb. 9, \$2,000 in the presence of Scales and ~~my~~  
"self; the \$2,000 on Feb. 9 was turned over to Roy by Burns in  
"the small room which I have formerly spoken of in the Pavilion  
"rink and I think the \$2,000 on Feb. 11th was also turned over  
"to Roy by Burns at the rink; I am satisfied those are the only  
"sums of money that I saw turned over by Burns to Roy. (4309, 10)  
"That note there as to that other sum was a sum which may have  
"been turned over without my personal knowledge (4310)

"I was at Roy's house on March 7th from noon on and it was  
"probably around about the hour of noon that Lonergan arrived  
"there and I think that I did not take down the conversation  
"between Roy and Lonergan there in connection with the handling





"of the money so him at the time it was had but it is possible  
"I may have written down something in regard to it afterwards.

"I was acting as the private secretary of Mr. Wheeler during this period, but not in this matter.

"I was conversant with shorthand and was in the daily custom of taking matters down in shorthand and on those occasions that I went to the skating rink or Roy's house I brought my small shorthand note book with me; if there was any reason at all why I did not take down the conversation between Lonergan and Roy leading up to the payment of that money it was because it was not convenient in the position we were in to write it down at that time, but I am quite sure that I did not take down the conversation at that time though I think that I wrote something about it afterwards (4310,11)

"It was in the afternoon some time that Borton arrived at Roy's house that day, though I do not know whether I saw him actually arrive; it was in the evening of that day that I saw Walsh there, some time after dark, but I did not see him arrive. (4311)

"It was a long time that Burns and Lonergan were talking together before Lonergan announced that he would make a statement at Roy's, probably running into a matter of hours and the greater portion of that conversation took place down in the parlor, the front room of the house, and Mr. Roy and myself and Scales, I think, were present during all of that time; it was later and along towards evening or late in the afternoon that I sent out for the typewriter and it was after I completed taking down the statement or possibly before it was concluded and the typewriter was placed in some room upstairs and I did the entire writing up there. For a long time Lonergan refused to make a statement at all. My recollection is that Lonergan went upstairs and remained in a room up there while I was writing the thing off and I think that somewhere along in there Borton came in but I could not fix the time. I know that I first took down the statement in shorthand and thereafter transcribed it into longhand by means of this typewriter. I know that Mr. Langdon was present during the time that Lonergan made his statement and he participated in the questioning of Lonergan.

"I did not see Borton in any part of that house that day except downstairs. I saw Miss Condon upstairs in the front room where I typewrote the statement and she came there with her notarial paraphernalia and she swore Lonergan to his statement and appended her signature and seal. (4311-15)

"I was at the skating rink on a number of other occasions and I was at Roy's house on one or two other occasions, I think (4317)

"I was not present at the time Borton or Walsh made his statement (4317)

"I do not know whether Burns took the money when Lonergan offered it back to him at Roy's house or whether Lonergan kept it in his hands (4318)

"I did go to Roy's house a day or two after I saw Roy hand the money to Walsh at the skating rink, and I either went alone or with Scales, and Burns was there on every occasion that I was. I was at Roy's house on Sunday morning, the next day after seeing the money handed to Walsh at the skating rink and it might have been as early as eight o'clock, and Burns and Roy and probably Scales were there at the same time and I saw Dr. Borton there on that occasion and my notes so state: 'Sunday, Feb. 10, Charles W. Borton came in at 11:15,' but my recollection is that I was not present at any time when Borton re-





"received money and that matter recited there was recited to me  
"as he told it to me though my notes do not set it forth as a  
"statement to me by Roy and I am simply going by the manner in  
"which it reads, and my notes further show that on that Feb. 10,  
1907, at 9:47 a. m. the telephone at Mr. Roy's residence rang and  
Roy's little girl went to the 'phone', Borton at the 'phone'  
asked if her father was there and she said that he was, and that  
she would go and call him and Roy then said over the 'phone':  
" 'Is that You Doc, what time will you be here? I don't go out  
"nights at all, you know I have been under the weather. I had  
"an operation performed and so I stay at home but if you want  
"me to meet you down there I will be there,' and Borton said,  
"Well, you state the time and I will go to the House,' and Roy  
said, 'I am home all day.' When Roy went to the 'phone' he re-  
peated to me aside what was said on the other end of the '  
"phone' as it was spoken to him. I remember that Burns and  
"Scates and all of us walked to the 'phone' out in the hall  
"with Roy when he went to the 'phone' on that occasion and I  
"held my note book in my hand and took down what I heard Roy  
"say and took down what he then and there told me he had heard  
"come through the 'phone' in reply to his statements. What hap-  
"pened after the conversation at the 'phone' was that Borton  
"came up to Roy's house and saw him as I have the annotation  
here: 'Charles W. Borton came up to Roy's house and in at  
"11:15.' and then follows some matter which was recited to me  
"by Roy as having taken place (4816-26)

"I met Dr. Borton at the skating rink once on one of those  
"days that I was there and I saw him in the office of the rink  
"and was introduced to him in the same room in the presence of  
"Burns and Roy and somebody else who were all in the same room;  
"that was on one of those dates that I was at the rink but I  
"cannot state which. It may be that I am confused about having  
"seen Dr. Borton at the rink as I don't know Dr. Borton very  
"well, but if I met him there that day it was the first time I  
"had ever seen him in my life, and I have not seen him since  
"except on one or two occasions if at all. I am not ac-  
"quainted with Dr. Poheim either. I have a note in my book that  
"Dr. Poheim was there at the rink that day but I don't think I  
"have a note there that Dr. Borton was and it may be that I have  
"them confused as to having seen them at the rink (4826-8)

"The day we watched Lenergan through the crack in the door  
"at Roy's house, Burns was down on the floor and I was next  
"above him and Scates was the highest one (4829)

~~XXXXXXXXXXXXXXXXXXXX~~

"After looking at my notes I am satisfied that who it was I  
"saw at the skating rink at the time I mentioned a large number  
"in the office of Roy was Dr. Poheim and Mr. Maestretti and I am  
"of the impression that I did not see Borton at all there (4833)

"On the occasion when I saw the first \$2,000 handed to Roy  
"by Burns at the skating rink Roy called up several parties over  
"the phone; that \$2,000 was divided into some packages but I  
"could not say whether they were all \$500 or not. Roy called  
"up I think as many as four or five different supervisors on  
"those occasions; I heard him call up Lenergan and McCushin and  
"Borton and others. I am satisfied that I did not hear Burns  
"call up any supervisor (4835-6).

"I have no recollection of seeing Roy at any time hand any  
"currency to Dr. Borton (4836)."





(d) TESTIMONY of SUPERVISOR GALLAGHER, at the CALSON TRIAL, #1436:

THAT BOXTON AND WALSH AND LONERGAN STATEMENTS MADE ABOUT MARCH 8;  
FIRST INTIMATION OF TRAPPINGS; WILSON SPOKE TO HIM AND ALSO OWENS;  
HEARD SPRECKELS FURNISHED THE TRAP MONEY;  
FIRST MET SPRECKELS AT PRESIDIO FIRST WEEK IN MARCH AS RESULT OF COMMUNICATIONS MADE BY OWENS OF BOXTON TRAPPING;  
HOW CAME TO CONCLUDE THAT HE OUGHT TO TALK TO SPRECKELS;  
OWENS TELLS HIM OF BOXTON TRAPPING AND OFFER OF IMMUNITY; AND G. UNDERSTOOD THAT LONERGAN AND WALSH HAD ALREADY MADE STATEMENTS AND THAT BOXTON ALSO HAD OR WOULD;  
ADVISED WITH WILSON AND PERHAPS BOXTON BEFORE SEEING SPRECKELS;  
DID NOT KNOW BUT BELIEVED BOXTON HAD ALREADY OBTAINED CONTRACT OF IMMUNITY; DID NOT ADVISE HIM TO GO AND MAKE TERMS NOR TALKED WITH HIM ABOUT IT;  
MEETING WITH BOXTON A BLOCK FROM THE PRESIDIO AFTER MEETING SPRECKELS BUT DID NOT ADVISE HIM; TOLD HIM HAD NO ADVICE TO GIVE HIM;  
BOXTON'S IMMUNITY PROBABLY DISCUSSED AT BOARD'S CAUCUS ON IMMUNITY;  
WILSON, BOXTON, GALLAGHER AND OWENS MEETING FREQUENTLY BEFORE G. WENT TO PRESIDIO;  
HEARD IN ADVANCE THAT TRAPPINGS WOULD BE ATTEMPTED;  
READ "CHRONICLE" ARTICLE OF FEB. 17, 1907, ON TRAPPINGS;  
WARNED LONERGAN THAT HIS EMPLOYMENT WAS A TRAP.

" I should imagine it would be somewhere about the 8th of March  
"that the Boxtton statement was made and it was my understanding  
"that there was a Walsh statement about the same time as the  
"Boxtton statement, about the 8th of March, and also a Lonergan  
"statement. I do not know what became of those statements  
"(646-649).

"I am not certain as to the exact source from which  
"I first heard that some of the supervisors had been trapped;  
"there was some talk I remember of some of the members about it;  
"Wilson, I think, spoke to me about it and Owens did. Owens  
"afterwards acted as attorney for me, but at that time he was  
"not my attorney and I had not met him before the occasion in  
"mind. He first came to me representing Dr. Boxtton, as his  
"attorney, but I am not certain whether that was the time I first  
"learned that some of the supervisors had been trapped. I think  
"that Wilson had said something about the matter, that some in-  
"timation had come to me before that, but I am not certain. Q.  
"Hadh't you learned then before that that Lonergan had been  
"trapped twice and that Mr. Rudolph Spreckels had furnished the  
"money both times and Lonergan kept it? A. That is true, as  
"to Mr. Owens speaking to me, as to the time when he spoke to  
"me, I am trying to fix that particularly in my mind. I think  
"the Lonergan incident was before that, but as to the information  
"or the matter of being trapped, I am not certain that that





"information was was settled, that is, that that information definitely was given to me until Mr. Owens spoke to me about it. The other matter, in other words, was a suspicion, perhaps well founded, but was not settled perhaps. (805).

"My final information was that Lonergan had been trapped twice and then I heard from some source, but where it was I don't remember, that Spreckels had furnished the money, but I cannot testify as to that (805).

"I first met Spreckels in the Presidio some time in the early part of March, perhaps about the first week of March; and at that time I believed that two or three of the supervisors had been trapped and had come through, and I got that information from Owens; he came to see me and told me that such was the case, that Boxton had been trapped, and that it was a matter of grave consideration to him and the doctor, that he was satisfied that the doctor would be convicted of the matter and wanted to talk the matter over with me. (806-7).

"I had not at that time learned that Spreckels had Lonergan on a monthly salary and was paying it himself, and I did not at that time, nor before that time, understand that from information that I had, that in the month of February preceding Lonergan had been placed on a salary by Spreckels; in explanation to that I wish to say that I had heard a rumor that Lonergan had been employed in some electrical concern run by Mr. Timothy Sullivan and somebody else, some company, and that it was suspected that that company had been started by the graft prosecution people and the suspicion was that money had been put up by them that started that business (807-811).

"The way I got the idea that it was proper or necessary for me to talk to Spreckels was that I discussed with Owens the best method of proceeding and we canvassed a number of names of persons connected with the prosecution-- with the District Attorney, and it was finally determined to talk with Spreckels about the matter. That was finally determined by myself, to see him, the appointment being made through Owens. Owens had stated that certain suggestions had been made to Boxton and to him that immunity would be granted if statements-- true statements were made concerning these transactions. My understanding then was that Lonergan and Walsh had already made written statements to the graft prosecution and that Boxton either had done so or was about to do so. That was the information that I got from Owens at that time. My recollection of it is that Owens said that he felt convinced that Boxton would be convicted if he did not make the statement, and my impression that I got from his talk was that Boxton either had already made the statement or that he would make it. I was not able to determine positively as to that because I did not know the facts. He did not say to me in the first conversation that Boxton had actually made a statement, but I was thinking the matter over for myself. Owens did practically give me to understand or did say to me that unless something was done to compromise these matters with Spreckels that Boxton would be convicted; he was Boxton's attorney especially (811-813). I think it was Owens and not Wilson that first suggested it, either to see Spreckels or somebody connected with the prosecution. (813).

"In answer to your question whether or not I consulted



"any of the other members of the Board about it, or advised them that I was going to see Spreckels before I went to the Presidio at all, I say that my best recollection is that I talked with Wilson about it and I think with Dr. Boxton (813-814).

"Q. Mr. Gallagher, was not the matter that induced you mainly to do this, that you believed at that time, according to the representations of Mr. Owens, that Dr. Boxton and Lonergan and Walsh had as it were, gone through, and were with the graft prosecution, and they would probably be convicted, and convict you? A. That would be substantially the consideration-- Q. (Intg.) Wasn't it so represented to you? A. (Contg.) That induced me to go. Q. Wasn't it, I say, so represented to you? A. No, there was not any such bald statement as that (818) I understood from Owens that the offer of immunity had been made to Boxton and that he thought it would be extended and had been informed that it would be extended to all the others if they would make the statements (818). "I should say that that conversation, or those conversations with Owens, were within a week before I went to the Presidio (819).

"Before I went to the Presidio I did not know that Boxton had already obtained the contract, but it was my belief; but I had not already advised him to go and make terms with Spreckels nor had I talked with him about his doing so or about his making any statement to Burns (823-5).

"About a block away from the Presidio I met Boxton after leaving Spreckels and he called to me. I do not know if he was waiting for me and I don't know what he was doing. It was not near his place of business which was at the other side of the city; but I did not then advise him or suggest to him to make a statement. My recollection is that I told him I had no advice to give him about what he should do. I did not hear him testify in the first Glass case. I have no doubt he asked me what I was doing there and our talk was just for a moment. My meeting may have been prearranged but I don't know. I have no doubt he knew I was coming there but who told him I don't know (836-9).

"Approximately it was about the end of the first week of March that I had my first meeting with Spreckels at the Presidio (838,9)

"At the time I first saw Spreckels I believed that Boxton had some agreement and had made a statement but that was not from anything that had been said to me (840-1).

"I don't know if previous to my last talk with Spreckels Boxton told me he had an agreement, but my best recollection is that he mentioned that he had such an agreement before the close of the arrangements that I was conducting and I think he mentioned that fact about the time the board decided to accept (852-3).

"I do not recall whether Boxton's contract was mentioned or discussed at the caucus; probably the subject matter of Boxton having given his statement was discussed there, the discussion would involve that, but whether the terms of any contract of his was discussed I don't remember (854,5).

"Before I went to the Presidio at all, Wilson and I were meeting frequently during that period, and I met Boxton a number of times and I saw Owens a few times (895).





"Before I heard of any trapping having been accomplished  
"I did hear that it would probably be attempted; and I so heard  
"either in October or November of 1906 and my best recollection is  
"that it was after the indictment of R. in the extortion cases  
"but I could not be positive about that; the Oliver grand jury was  
"in session at that time (1196-9).

"Prior to having the talk with Boxton or Owens which  
"lead to my going to the Presidio, or about that time, I remember  
"reading or seeing that Chronicle article of Sunday, Feb. 17, 1907.  
"I had read the article at that time, and I had certain impress-  
"ions in my mind when I went there from the information that I  
"had gathered from that article and from other sources; the  
"impression that I got from that article was a suspicion that  
"some of the members had been trapped and I got that impression  
"from the reading of that article before my conversation with  
"Owens and Boxton; my recollection is that I read the article  
"about the time the paper was published and that was Feb. 17,  
"1907; and that was before these talks with Owens and Boxton  
(1199-1203).

"It was my opinion that the employment of Lonergan  
"was for the purpose of getting in touch with him to find out  
"something concerning the transactions in the board and that was  
"sometime in February, 1907; I think, or perhaps it was in Jan.,  
"and I told Lonergan that I thought there was something wrong  
"about his employment there and to look out what he was about.  
"I do not know whether it was before or after that that I read  
"that article in the Chronicle of Feb. 17, 1907 (1205)."















#### CHAPTER IV.

THE IMMUNITY DEAL WITH THE SUPERVISORS; -  
ITS TERMS AND CONDITIONS, - ITS PURPOSES  
AND OPERATION; -  
THE PRESIDIO MEETINGS, -  
SPRECKELS IN FULL CONTROL; -  
SCOT FREE WITH THEIR OFFICES AND  
THEIR SWAG, - THE PORTION OF THE  
SUPERVISORS; -  
PERJURY, POLITICAL POWER, AND PERSONAL  
AGGRANDIZEMENT, - THE  
PORTION OF THE PROSECUTION; -  
TESTIMONY MADE TO ORDER, AND ALTERED  
AND REPAIRED, UNDER THE COERCION  
OF THE REVOCABLE IMMUNITY CONTRACT;  
MERCILESS ABUSE OF DESPOTIC POWER OVER  
SUPERVISORIAL WITNESSES BY PROSECUTION;  
POST-ELECTION CLEAN-UP OF OUTSTANDING  
INDICTMENTS AGAINST FAITHFUL ADHERENTS;







#### CHAPTER IV.

OUR IMMEDIATE DEAL WITH THE SUPREMACIES; -  
ITS TERMS AND CONDITIONS, - ITS PURPOSES  
AND OPERATION; -  
THE FORTRESS NEGOTIATIONS, -  
SPENDING IN FULL CONTROL; -  
DEEDS FREE WITH THEIR OWNERS AND  
THEIR OWN, - THE PORTION OF THE  
SUPREMACIES; -  
SECURITY, POLITICAL POWER, AND PERSONAL  
ACCOMMODATION, - THE  
POSITION OF THE PROSECUTION; -  
THEORY AND PRACTICE, AND ALL THE  
AND REMAINS, UNDER THE CURRENT  
OF THE SUPREMACIES IN THE CURRENT;  
NEGOTIATIONS UNDER THE CURRENT POWER OVER  
NEGOTIATIONS UNDER THE CURRENT;  
NEGOTIATIONS UNDER THE CURRENT;  
NEGOTIATIONS UNDER THE CURRENT;









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(1) STANDARDIZATION OF DATA - This is the process of converting data to a common format, i.e., STANDARD or COMMON format.





- (2) SPEECHES AND THE FACT OF ASSASSINATING AN., GUILT  
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- (2) BALLARD'S TESTIMONY SPEECHES' MADE TO THE  
JURY:
- (4) SPEECHES THE JURY TO TAKE INTO ACCOUNT;
- (5) SPEECHES THE JURY TO TAKE ACCOUNT AGAIN;
- (6) SPEECHES THE JURY THAT THE JURY WOULD HAVE THE  
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- (7) SPEECHES ALREADY THAT THE JURY IS MOVING;
- (8) THE JURY HAS THAT THE JURY WOULD BE THE JURY  
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- (11) BALLARD'S TESTIMONY SPEECHES' MADE TO THE  
JURY:
- (12) SPEECHES THE JURY TO TAKE INTO ACCOUNT;

(1) SPEECHES THE JURY TO TAKE INTO ACCOUNT IN THE TESTIMONY OF  
BALLARD AS TO HIS MIND AND MIND OF SPEECHES WITH THE  
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ALL OF BALLARD'S TESTIMONY SPEECHES AS HIS MIND SPEECH  
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Index of Leading Items -- (B)

- (j) BERRY ADMITS THAT THE SUPERVISOR'S CONTRACT OF EMPLOYMENT IS VIOLATED;
- (k) SUPERVISOR PHILLIPS RECEIVED NOTICE THAT HE WAS FOLLOWING THE PATH OF CONFEY AND REQUESTED THE FARMING, HE IMPROVED HIS TESTIMONY;
- (l) SUPERVISOR PHILLIPS WOULD BE LOST BY AN EARLY EX-TRACTORY WHICH IS VIOLATED IN HIS CONTRACT CONTRACT AND WHICH IS CONSIDERED FROM THAT ON HIS, BUT NOT DISMISSED UNTIL THE FARMING IS BEING OUT OF OFFICE.



- (1) The first of the two main parts of the book is devoted to a study of the history of the theory of the origin of life. It is a very interesting and important study, and it is well written. (11)
- (2) The second part of the book is devoted to a study of the history of the theory of the origin of life. It is a very interesting and important study, and it is well written. (12)
- (3) The third part of the book is devoted to a study of the history of the theory of the origin of life. It is a very interesting and important study, and it is well written. (13)
- (4) The fourth part of the book is devoted to a study of the history of the theory of the origin of life. It is a very interesting and important study, and it is well written. (14)
- (5) The fifth part of the book is devoted to a study of the history of the theory of the origin of life. It is a very interesting and important study, and it is well written. (15)

(a)

~~CONFIDENTIAL~~ ~~CONFIDENTIAL~~ ~~CONFIDENTIAL~~

"San Francisco, Cal., July 30, 1907.

Whereas, James L. Gallagher, E. J. Walsh, F. P. Nicholas, C. J. Herrigan, Max Mamlock, J. J. Purey, Jennings Phillips, Thomas F. Lorrigan, James E. Kelly, L. A. Rea, W. W. Sanderson, Daniel C. Coleman, Sam Davis, A. M. Wilson, M. F. Coffey, all of the City and County of San Francisco, State of California, have each made to me a disclosure of certain crimes and offenses committed by himself, and by himself jointly with others and by others, which he claims to be a full and fair disclosure thereof, so far as known to him,

Now, therefore, in consideration of the premises, deeming it to be in the interest of public justice, and believing that each of the above-named parties will thereby become equitably entitled to such consideration, in accordance with the time honored custom and practice of prosecuting officers, in both state and federal jurisdictions throughout this country, and in line with common law precedence, it is agreed by me that if he has made a full and fair disclosure of all of such crimes and offenses and has stated to me the truth, the whole truth and nothing but the truth, and if he shall whenever called upon to do so by me, or by any other officer on behalf of the People of the State of California, to again make a full and fair disclosure of such crimes and offenses, together with the facts and circumstances surrounding the same and the persons therein involved, in any cause, action or proceeding whatever in regard thereto, fully and fairly, together with the facts and circumstances surrounding said crimes and offenses and the persons involved, and tell and testify the truth, the whole truth and nothing but the truth, then, and in that event, each one of them who so does shall not be prosecuted, complained against or indicted for any of said crimes or offenses, or his connection therewith.

It is understood that the making or verifying of any affidavit or answer in the case of Langdon vs. Ruef et al., heretofore brought to the Superior Court of this City and County, is included in this agreement; and it is further understood that Fred P. Nicholas shall not be further prosecuted in the case now pending against him in which he is under indictment in this City and County, upon the charge of accepting and agreeing to accept a bribe from one Holmes.

( Signed ) W. W. Langdon, District Attorney;  
Francis J. Heney, Asst. Dist. Atty.

Witness: James L. Gallagher."

(Second Ruef Trial, No. 1437, p. 1100.)



(b)

SUBJECT: CONFIDENTIAL; MEMORANDUM OF THE BOARD OF THE PRESIDIO  
WITH GALLAGHER'S STATEMENT IN THE INTERVIEW WITH  
THE BOARD OF THE PRESIDIO, AT THE PRESIDIO, WASHINGTON  
AT THE PRESIDIO, WASHINGTON, 1946:

THEY WERE FIRST ARRANGED FOR ME TO MEET GALLAGHER  
AT THE PRESIDIO A FEW DAYS AFTER MEETING AT  
ROY'S HOUSE;  
LONDON, WENT AND WENT THROUGH THE PRESIDIO TO  
COVER GALLAGHER'S INTERVIEW FOR HIMSELF;  
TODAY INTERVIEW IN THE AT PRESIDIO WITH GALLAGHER;  
FIRST INTERVIEW WITH GALLAGHER AND GALLAGHER  
INTERVIEW INTERVIEW FOR ALL;  
AFTER FIRST INTERVIEW WITH GALLAGHER AT PRESIDIO  
AND WENT TO THE SECOND INTERVIEW, INTERVIEW OVER-  
VIEWED WITH LONDON AND HUNTER AND OTHERS OF  
PRESIDIO AND ALL ASKED AS THEY WERE HAVE  
GALLAGHER, HE SHOULD OTHER INTERVIEW TO ALL, THESE  
INTERVIEW THROUGH GALLAGHER;  
SECOND INTERVIEW WITH GALLAGHER AT PRESIDIO, THE  
INTERVIEW WITH THE INTERVIEW FOR ALL THE GALLAGHER  
INTERVIEW HE WOULD SEE THE PRESIDIO AND HUNTER;  
LAST THE GALLAGHER AT PRESIDIO ON THE POINTING OF THE  
GALLAGHER INTERVIEW WITH THE PRESIDIO HE WOULD BE HAD THE  
INTERVIEW OF INTERVIEW FOR ALL AND THE ASKED  
AND WOULD HAVE INTERVIEW;  
GALLAGHER INTERVIEW ABOUT INTERVIEW FOR PRESIDIO  
LAST THE PRESIDIO INTERVIEW INTERVIEW WITH THE PRESIDIO  
AND LONDON, ASSURED HIM THAT THERE WAS NO  
INTERVIEW TOWARD PRESIDIO;  
PRESIDIO AT GALLAGHER WITH STATEMENT'S TOWN;  
PRESIDIO PRESIDIO TO PRESIDIO;

"A few days after that meeting at Roy's house when these parties  
"were all present, I met Gallagher at the Presidio."

"My recollection is that Burns made the arrangement with me to  
"meet Gallagher in the Presidio and said that Gallagher would like  
"to have an interview with me, and would meet me at the Presidio, and  
"I told him that I would keep the engagement."

"Could not fix the day that I met Gallagher at the Presidio on  
"the first occasion, but before going there, I had a talk with Lang-  
"don, Henev and Burns, in which it was suggested that I might in-  
"cate to Gallagher that we would like to have his confession and  
"statement, and that the District Attorney would unquestionably be  
"able to grant him immunity on the strength of his giving full and  
"free truthful testimony concerning crimes in which he was involved  
"while acting as a supervisor in connection with public service  
"corporations and others." (3295.61)

"I do not think I had known Gallagher before my first meeting  
"with him at the Presidio, and I think we met there without intro-  
"duction, and I think Gallagher approached me and I recognized him  
"as being the man; I was alone. I left my car several blocks from the  
"entrance and walked in and we met just inside the grounds and then  
"walked along the roadway; people passed in autos, and there was a  
"house nearby, and I remember seeing some people there inside the  
"grounds and I imagine it has to do with the reservation, but there  
"was no idea in my mind in going to the Presidio that that was a



THEY WERE ALL THERE, AND I WAS  
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"government reservation and I did not think at the time at all of it as not being a part of the State of California in some respects, and Gallagher did not mention that fact to me; I don't know why the Pr sidio was selected, but I was told that G. would meet me there, and I agreed to keep the engagement, and that is all the knowledge I had on the subject of why the Presidio was selected; no one went with me part of the way and I went alone, except with the chauffeur who drove me. (3393, 4)

"I had in all three interviews with Gallagher at the Presidio." (3297).

"My first talk with G. was that I told him that we had the confessions of some of the supervisors in regard to their having accepted bribes in matters before the board, and that they wanted his statement in connection with his part of the transactions. Up to that time the confessions we had were Lonergan and Walsh, I think. (3394).

In that first talk with G. at the Presidio after I told him what I have stated, he said he would have to understand what could be done, and whether or not immunity would be granted-- stating first that of course he did not admit any wrongdoing on his part, or anyone's, and that he wanted to know whether, if immunity were granted him, the same conditions would apply to the other members, and that he would not consider the matter at all unless everyone connected with him in that transaction--the supervisors connected with him-- would have the same treatment (3395). When I had that first talk with Gallagher at the Presidio, I reported back to the District Attorney and then met Gallagher as I recollect it on the following day. G. Did you have an agreement with the District Attorney or Mr. Heney after that first visit as to what you must do? "A. I was told that immunity would be granted the supervisors..... that was all in substance, but there was more talk, of course, in connection with it. It is quite true, as I testified yesterday, my best recollection is that it was agreed that we must have the testimony of Gallagher." I used those words "must have" because I thought then from what the District Attorney and Heney told me, and I believe now, that it was an absolute necessity to have the testimony of Gallagher. For the testimony of Gallagher at that time I was willing to grant immunity not only to him but to the supervisors. The matter of immunity to Ruef was brought up as I have heretofore testified, to the best of my recollection, in the last meeting, when I told Mr. Gallagher he could have to take that up in person with the District Attorney; he and the board of supervisors already having agreed to come in and make a full statement. I think it was rather an afterthought, if anything, on the part of Gallagher in connection with Ruef; that is my belief in the matter". (3397, 6).

"If the following day was the time that I agreed in first meeting with Gallagher to meet him again, then I did meet him the following day, and before that second meeting with G., I had talked with Langdon and Heney, and probably other members of the prosecution, and that talk was, to my best recollection that it was agreed that we must have the testimony of G., and that it would be necessary in any event, to have the testimony of the majority of the board, and under those circumstances, we might as well grant to all." (3297)

"My second interview with G. at the Presidio was that I told him that the District Attorney had indicated to me that he was willing to extend the immunity to all of the supervisors, and G. told me that he would see me again, either that afternoon or the following morning, and let me know as to the attitude of the supervisors." (3297, 8).

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the activities of the Committee for the Liberation of the Americas (CLA) in the United States. The Commission is therefore unable to determine whether the CLA is active in the United States or whether it is merely a propaganda organization. The Commission is therefore unable to determine whether the CLA is active in the United States or whether it is merely a propaganda organization.

"I last saw Gallagher before the taking of the Gladstone statement on the morning of that same day and at the Presidio and at that talk G. told me that he had communicated to the supervisors the message which I had delivered him from the District Attorney to the effect that immunity would be granted to the supervisors provided they would make a sworn declaration of the crimes in which they were involved, giving a truthful account of all matters in which they had acted in that manner as supervisors, and that the supervisors had agreed to the terms, and would meet the District Attorney for the purpose of making those statements. I am satisfied that it was in that same interview that Gallagher asked me whether or not Ruef could have the same treatment, and I told him that that was a matter I had not taken up, that he would have to take it up directly with the District Attorney and Mr. Heney, but that I felt there was no animosity on the part of Heney or anyone connected with the matters bearing directly upon Mr. Ruef; I had in mind the statement made by Heney at a political meeting in the fall of 1908; I think that is about the substance of it; I had no means of conveying anything further to Gallagher at that time." (3303,4).

"Q. But you participated in the granting of Mr. R. immunity did you not, in order to get him to testify against Mr. Calhoun? A. I have no authority and I never did have any authority to grant Mr. R. immunity, or anyone else. I had knowledge that certain limited immunity was to be granted to Ruef." (3326-7).

"In answer to your question if I helped take the statements of any other supervisors after receiving Foxton's statement, I say that I did not help in the taking of any statements, but I was present when some of them were taken, but I really could not tell you which; I was in the Gladstone Apartments, and went from room to room, but I could not pretend to tell you who was there, but I met the different men, and I think possibly all of them, but whether I was present at the taking of the statement of any particular one, I could not swear as to which ones or any of them." (3302 -3).



1. The first of these is the fact that the majority of the population of the United States is of European descent. This is a fact which has been recognized by the government and the people of this country for many years. It is a fact which has been recognized by the government and the people of this country for many years.

(c) SUPERVISOR GALLAGHER'S VERSION OF THE FURNISHED MEETINGS, AND THE CAUCUSES OF THE BOARD FURNITURE TRADING, DELIBERATING IS THE IMMUNITY COMPACT WITH THE DEFENDERS, - AS TOLD BY SUPERVISOR GALLAGHER AT THE GALLAGHER TRIAL, #1436.

FIRST TWO MEETINGS AT FURNIDIO IS THE FIRST ONE OF MEETING; INVOLVING... OWNERS TALKS OF BOYTON TRADING AND COMMERCIAL IMMUNITY NEGOTIATIONS;  
HAD HEARD AND READ OF THE TRAFFICING CASE;  
BOY GENERALS WAS POINTED UPON BY GALLAGHER AS THE FURNIDIO MEMBER OF THE GROUP'S PROSECUTION TO TALK WITH;  
NOT THE FURNIDIO CASE TO BE BRINGED IN THE MEETING PLACE;  
HAD TALKS OF FOUR MEETINGS WITH SPRUCKLES AT IMMUNITY;  
BOY AS TOLD TO THE FIRST MEETING WITH SPRUCKLES;  
IMMUNITY OF THE PART OF THE FURNIDIO TRADING CASE;  
WHAT THEIR FIRST TALK AT THE FURNIDIO WAS;  
IMMUNITY TO BOY AND NO INDICATORS TOWARDS HIS OR SPRUCKLES;  
GALLAGHER MADE NO ADMISSIONS TO SPRUCKLES IN FIRST TWO MEETINGS;

THE SECOND TWO MEETINGS REPRESENTED;  
BOARD TALK TALKS ON FOUR CAUCUSES DURING THE NEGOTIATIONS;  
AFTER FIRST TALK WITH SPRUCKLES HE TALKS MEETING OF BOARD;  
FIRST CAUCUS OF SPRUCKLES ON IMMUNITY; GALLAGHER EXPLAINS SITUATION AND COMMUNICATES SPRUCKLES PROPOSITION;  
SUPERVISOR'S TALKS VARIOUS ADDITIONAL QUESTIONS AND TALKS VARIOUS ADDITIONAL PROPOSITIONS TO BE SUBMITTED TO SPRUCKLES: I.E. WILSON'S POSITION AS GALLAGHER'S COMMUNIST; DUFFY'S POSITION ON BOARD OF PUBLIC WORKS; SERVING OUT THE BALANCE OF THEIR TERMS OF OFFICE; NICHOLAS' INDICTMENT ON FURNITURE TRADING; THEIR FALSH AFFIDAVIT IN BOY LONDON VS. KEMP ACTION; EXPLAINING THEIR PLAN;

SECOND CONFERENCE WITH SPRUCKLES AT FURNIDIO; OWNERS TALKS THE MEETING; SAME PLACE;

AT SECOND CONFERENCE WITH SPRUCKLES THEY TALK UP WILSON, DUFFY AND NICHOLAS SAYINGS, THE BOARD OF OFFICE OF THE BOARD, GIVING BACK ON THE BOARD; COMMERCIAL REACHED ON ALL THREE;

SPRUCKLES NO DESIRE TO TALK THEM RETURN THE PLAN;  
SPRUCKLES WANTS THEM TO RETAIN THEIR OFFICE, BE "GIVEN OVER" AND PROSECUTION WILL "ADVISE."

SPRUCKLES GIVES GALLAGHER JERRY'S FORM OF IMMUNITY CONTRACT;  
SECOND CAUCUS AT BOARD;

FINAL CONFERENCE WITH SPRUCKLES AT FURNIDIO; SPRUCKLES TO GO TO GLADSTONE AND MAKE THEIR STATEMENTS;

ARRANGED AT FINAL CONFERENCE WITH SPRUCKLES AT FURNIDIO THAT IMMUNITY CONTRACT SHOULD BE SIGNED AND BE IN SPRUCKLES HANDS WHEN THEY GO TO THE GLADSTONE, BUT IT WAS BOY THINE, BOY GALLAGHER MADE NO OBJECTION TO TESTIFYING WITHOUT IT;

THEY GO TO THE GLADSTONE AT THREE O'CLOCK IN THE AFTERNOON OF THE DAY OF THE LAST CONFERENCE OF GALLAGHER WITH SPRUCKLES;

THEY TALK EXTENSIVELY ON SPRUCKLES' PROMISE OF THE IMMUNITY AND BE BOY SPEAK TO LONDON ABOUT IT;

ORIGINAL IMMUNITY CONTRACT WAS FINAL, LATER CHANGED TO WHITES;





FINALLY A WRITTEN CONTRACT OF IMMUNITY IN JULY, 1907,  
WHICH THE BOARD REJECTED;  
GALLAGHER SAID ONE DEPUTY AND TWO ASSISTANT ATTORNEYS  
FOR THE BOARD;  
GALLAGHER IDENTIFIED THE IMMUNITY CONTRACT;  
GALLAGHER UNDERSTOOD THAT THE DISTRICT ATTORNEY HAD THE  
POWER UNDER THIS CONTRACT, AND WOULD INQUIRE AND  
FORWARD HIS RECOMMENDATION WITH THE TRAILING  
SHEET;  
THAT CONSIDERATIONS AS SUPERVISORS HAD TO BE; GALLAGHER  
WAS NOT TO INTERFERE; THAT GALLAGHER TO A CERTAIN  
WELL KNOWN CONTRACT OF IMMUNITY (GALLAGHER);  
THAT THE TRAILING SHEET CONTRACT WAS SIGNED;  
AT WASHINGTON BY LONDON THE BOARD HAD TO BE GIVEN  
IN JULY, 1907;

"I first met Spreckels in the Presidio some time in the  
"early part of March, perhaps about the first week of March;  
"and at that time I believed that two or three of the super-  
"visors had been trapped and had come through and I got that  
"information from Owens; he came to see me and told me that  
"such was the case, that Borton had been trapped, and that it  
"was a matter of grave consideration to him and the Doctor,  
"that he was satisfied that the Doctor would be convicted of  
"the matter and wanted to talk the matter over with me. The  
"suggestion was made that some effort should be made to see if  
"immunity could not be secured in case there was anything so  
"far as the rest of the Board was concerned. I was careful  
"in my talk with Owens, and there were a number of things  
"simply assumed without being spoken between us. Up to that  
"time my secrets were in my own breast and I had made no  
"statement (806.7.)

"My action was based on what I knew and on what had been  
"reported to me concerning what had been done by the others,  
"the fact that I was convinced that these disclosures had  
"been made, those matters controlled my judgement in the matter.  
(815-817.)

"A. Mr. Gallagher, was not the matter that induced  
"you mainly to do this, that you believed at that time, accord-  
"ing to the representations of Mr. Owens that Dr. Borton and  
"Loneragan and Walsh had, as it were, gone through, and were  
"with the Craft Prosecution, and they would probably be con-  
"victed, and convict you? A. That would be substantially  
"the consideration--- (Intg.) Wasn't it so represented  
"to you? A. (Contg.) That induced me to go. A. Wasn't it,  
"I say, so represented to you? A. No, there was not any  
"such bald statement as that (818.) I understood from Owens  
"that the offer of immunity had been made to Borton and that  
"he thought it would be extended and had been informed that  
"it would be extended to all the others if they would make  
"the statements (818.)

"I should say that that conversation, or those con-  
"versations with Owens, were within a week before I went to  
"the Presidio (819.)

[illegible]

1. The first of these is the fact that the Government has not yet decided whether or not it will be necessary to take any action to prevent the spread of the disease. This is a very important question, and one which the Government should consider carefully. It is true that the disease is not yet widespread, but it is still a very serious threat, and the Government should take steps to prevent its spread. This could be done by a variety of means, including the use of vaccines, the isolation of infected individuals, and the use of disinfectants. The Government should also consider the possibility of a quarantine, which would prevent the movement of infected individuals out of the country. This would be a very effective way of preventing the spread of the disease, but it would also be a very costly and disruptive measure. The Government should weigh the costs and benefits of each option carefully, and make a decision based on the best available information.



"From the reports of the papers and what had been stated to me I got the information that Spreckels and these other men were at work on the matter for several months; I don't know just how long (827-1/2). "

"Before I went to the Presidio I talked with Wilson and Bixton about going; my talk with Bixton was more about his difficulty. Owens was not present at my talk with Wilson and Bixton. I am not positive if Bixton suggested I go and see Spreckels and make terms. My talk with Bixton was about the condition of affairs and the idea of making some settlement, but I do not remember that it was at all about seeing Spreckels, but it may have been. Wilson spoke to me in favor of my going and trying to make terms (833-5.)

"My best recollection is that it was about the time that the statements had been made at the Gladstone that I first found out that Bixton had made his own arrangements in that regard, and I may have known it; he may have mentioned it at the final caucus, but I don't remember that I knew it at the time that this agreement was signed (894,5).

"Prior to having the talk with Bixton or Owens which led to my going to the Presidio or about that time, I remember reading or seeing that "Chronicle" article of Sunday, Feb. 17, 1907. I had read the article at that time, and I had certain impressions in my mind when I went there from the information that I gathered from that article and from other sources; the impression that I got from that article was a suspicion that some of the members had been trapped and I got that impression from the reading of that article before my conversation with Owens and Bixton; my recollection is that I read the article about the time the paper was published and that was Feb. 17, 1907; and that was before these talks with Owens and Bixton (1199-1203).

"It was my opinion that the employment of Lonergan was for the purpose of getting in touch with him to find out something concerning the transactions in the board and that was some time in February, 1907; I think, or perhaps it was in Jan.; and I told Lonergan that I thought there was something wrong about his employment there and to look out what he was about. I do not know whether it was before or after that that I read that article in the "Chronicle" of Feb. 17, 1907 (1205).

"In answer to the question who selected the person whom I was to meet at the Presidio, in the talk between me and Owens, I say Owens suggested that I should get in touch with them through him, that he would be the means of making an appointment if I wished to with any of the people that I wished to see in the matter, and we discussed the individual that it might be best for me to see and we also discussed places for the meeting and my recollection is that I finally decided upon the Presidio as I thought that would be a convenient and quiet place for that purpose. There was a general discussion on the proposition but I stated I would prefer to talk with Spreckels because I did not care to talk with the district attorney as he was a public official, and I did not know what the result of the conference might be. One consideration was that if the conference did not end satisfactorily it would be his duty to start prosecutions on anything I might say and that he would not be in a position to make any agreements with me concerning the matter

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"in case we should not come to an agreement; but I remember  
"that I finally decided I would prefer to talk with Mr.  
"Spreckels about it. The reason I selected the Presidio  
"and why I left my automobile and walked there was that I did  
"not desire to have my attention called to it or to have the  
"matter published and that would prevent anything that I desired  
"to carry out in the matter. There were many reasons (1205-7).

"The appointment to meet Spreckels at the Presidio was  
"made on my part through Owens, but I don't know how he communi-  
"cated with Spreckels. We talked over the place and it was  
"determined that we should make an appointment with Spreckels  
"to meet him at the Presidio, and Owens was to let me know  
"then as to whether the appointment had been made" (819).

"It was three or possibly four times that I met  
"Spreckels at the Presidio." (840)

"It was about the first part of March, probably the end  
"of the first week in March, that I went to meet Spreckels at the  
"Presidio. I went out in an automobile to within a couple of  
"blocks of the place of appointment and then walked the balance  
"alone. The reason that I did not ride up to the spot was that  
"I did not care to attract attention to the meeting place. There  
"had been no preconcert that I should kind of creep around and  
"meet secretly; I did that myself. The place of appointment  
"was in the Presidio grounds, just inside the First Avenue gate,  
"and it was in the day time, and I think in the morning; it was  
"in the roadway. There are some trees and shrubbery near there  
"and the roadway winds around. When I first saw Spreckels he  
"was coming into the gateway from First Avenue. The fact that  
"it was government territory was not suggested. There were many  
"other places where a person could be unobserved, but I do not  
"think the Panhandle was mentioned or came into my mind. The  
"suggestion was made to meet at some residence, but I did not  
"care to meet Spreckels there (820-22). I think I arrived there  
"a little before Spreckels, but he came very soon after and when  
"I first saw him I could have been seen by anybody that was about  
"there. There were a number of people within probably a block  
"or so; just outside the Presidio gate I think there was  
"building going on there. There was no one about inside the gate,  
"but the inside of the grounds could be seen from the outside for  
"some distance. There is a wall or a hedge there, but not  
"sufficient to screen a person. We walked up and down. I think  
"there were some trees on one side of the road and some shrubbery  
"on the other, but we could have been seen by anybody who was  
"there to see or who knew us or whose curiosity was aroused."  
(822,3).

"When I first approached Spreckels I told him sub-  
"stantially that I was there to listen to any proposition he had  
"to make and when I left him I told him in substance that I  
"would take time and consider it; I told him that whatever  
"suggestion he had to make would be considered by all of the  
"members because I told him I was representing the others (856).  
"After the mere formalities of greeting, my recollection is that  
"I said to Spreckels that I understood that some of the members  
"had got into trouble and that I had come out to talk with him  
"about it, and that Spreckels then made his statement as to his

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The 1st and 2nd 500' intervals are shown as follows:

1. The first of these is the fact that the United States has a long and distinguished record of leadership in the world. This is not only in terms of military power, but also in terms of economic and cultural influence. The United States has been a leading force in the development of the world economy, and its culture has been a major influence on the world. This leadership has been a source of pride and a source of strength for the United States.

2. The second of these is the fact that the United States has a strong and stable government. This is a government that is committed to the principles of democracy, freedom, and justice. It is a government that has the ability to respond to the needs of its people and to the challenges of the world. This strong and stable government is a source of confidence for the United States and a source of inspiration for the world.

3. The third of these is the fact that the United States has a large and diverse population. This population is a source of strength and a source of inspiration. It is a population that is committed to the principles of democracy, freedom, and justice. It is a population that has the ability to respond to the needs of its people and to the challenges of the world. This large and diverse population is a source of confidence for the United States and a source of inspiration for the world.

4. The fourth of these is the fact that the United States has a strong and stable economy. This is an economy that is committed to the principles of free trade, free enterprise, and economic growth. It is an economy that has the ability to respond to the needs of its people and to the challenges of the world. This strong and stable economy is a source of confidence for the United States and a source of inspiration for the world.

5. The fifth of these is the fact that the United States has a strong and stable military. This is a military that is committed to the principles of peace, justice, and security. It is a military that has the ability to respond to the needs of its people and to the challenges of the world. This strong and stable military is a source of confidence for the United States and a source of inspiration for the world.

6. The sixth of these is the fact that the United States has a strong and stable culture. This is a culture that is committed to the principles of democracy, freedom, and justice. It is a culture that has the ability to respond to the needs of its people and to the challenges of the world. This strong and stable culture is a source of confidence for the United States and a source of inspiration for the world.

7. The seventh of these is the fact that the United States has a strong and stable environment. This is an environment that is committed to the principles of conservation, sustainability, and environmental protection. It is an environment that has the ability to respond to the needs of its people and to the challenges of the world. This strong and stable environment is a source of confidence for the United States and a source of inspiration for the world.

8. The eighth of these is the fact that the United States has a strong and stable foreign policy. This is a foreign policy that is committed to the principles of peace, justice, and security. It is a foreign policy that has the ability to respond to the needs of its people and to the challenges of the world. This strong and stable foreign policy is a source of confidence for the United States and a source of inspiration for the world.

9. The ninth of these is the fact that the United States has a strong and stable social system. This is a social system that is committed to the principles of equality, justice, and social progress. It is a social system that has the ability to respond to the needs of its people and to the challenges of the world. This strong and stable social system is a source of confidence for the United States and a source of inspiration for the world.

10. The tenth of these is the fact that the United States has a strong and stable future. This is a future that is committed to the principles of democracy, freedom, and justice. It is a future that has the ability to respond to the needs of its people and to the challenges of the world. This strong and stable future is a source of confidence for the United States and a source of inspiration for the world.

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"position in the Graft investigation. I suppose we were  
"there perhaps 15 or 20 minutes" (823).

"My recollection of that first conversation with Spreckels  
"is that he said that his purpose in the Graft investigation  
"was to try to eliminate the unlawful dealings of corporations  
"and wealthy interests with the public officials, the Board of  
"Supervisors, etc; that in doing that he felt that the most  
"important-- that it was not so important to prosecute the  
"officials themselves, or the political boss, because the public  
"officials, Boards of Supervisors and political bosses could come  
"and go, but that the quasi-public corporations would remain per-  
"manently, and that if he hoped to accomplish any permanent  
"change in these conditions he felt he would have to direct his  
"attention to the corporation people and those that were engaged  
"in dealing with the public officials unlawfully through the  
"political boss and others." (824)

"Spreckels said that he felt that the public utility cor-  
"porations, large corporations, were responsible for the con-  
"ditions that he was trying to eradicate, and he felt that his  
"attention should be directed towards prosecuting them and eli-  
"minating them in that way from these transactions, rather than  
"to direct attention towards the supervisors, public officials,  
"or the political boss, because they were coming and going,  
"and the others were a fixture." (720)

"Spreckels mentioned Ruef and according to my best  
"recollection, it was either at that first conversation or at  
"the next one, but I think it was at the first one, and he stated  
"that he was satisfied that the Board of Supervisors would be  
"granted immunity for any matter that they might have done by  
"the District Attorney, if they would make full and complete  
"truthful statements and testify to those facts; and that per-  
"sonally he was not actuated by any vindictiveness; he did not  
"desire to cause any more trouble or injury to people than he  
"felt was necessary in carrying out his purpose, as he stated  
"it; that he had no feeling of vindictiveness towards Ruef. I  
"do not think that he said that he did not care about seeing  
"Ruef punished. He said that he thought Ruef might have the  
"same arrangement as the Supervisors, but I am not certain whether  
"that was said by him at the first talk or at a subsequent one.  
"I don't think we talked much about Ruef at the first talk,  
"because that first talk consisted simply of his statement of what  
"would be done so far as the Board was concerned, the immunity,  
"that he was satisfied that the District Attorney would be willing  
"to grant it in case they made statements, and then I stated to  
"him that I would see the members of the Board and talk with  
"them about the matter and would see him again. At one of the  
"talks with Spreckels he said substantially that he saw no ob-  
"jection to immunity to Ruef if Ruef would testify and that he  
"thought it could be arranged, and that if Ruef would make a full  
"and true statement of all of the transactions in the direction  
"indicated that he was satisfied that immunity would be granted  
"to him the same as to the Board. In substance, it would be  
"correct to say that he mentioned Ruef in connection with the  
"immunity and said that he had no vindictive feelings towards

1. The first part of the report is a general statement of the purpose of the study and the objectives of the research.

1. The first of these is the fact that the Government has not been able to secure the necessary funds to carry out its policy of maintaining the value of the pound at its pre-war level. This has been due to a variety of factors, including the fact that the Government has not been able to secure the necessary foreign exchange to finance its policy.

[illegible]

"I have been thinking about you very much lately, and wondering how you are getting along. I hope you are well and happy. I am still here, and everything is going on as usual. I will write again soon."



"Ruef and did not think that Langdon or Heney had any vindictive feelings toward Ruef and that he did not regard the punishment of Ruef as of the utmost importance so far as their purposes were concerned--in substance, that would be about the statement of Spreckels." (828-30) With respect to the immunity to R. I know that Spreckels said in that conversation at the Presidio that the matter would have to be determined at once, that R. would have to give an answer on it; as to whether that was said by Spreckels or by somebody else in connection with the matter I am not positive; that somebody else I have in mind was Burns and the talk I have in mind was not prior to my Gladstone statement, but I think it was right after the Gladstone statement on the same day. (1227,8) Spreckels did say he did not feel vindictive towards Ruef. He said he was not actuated by vindictiveness towards Ruef in what he was doing and I believe he made the statement that he thought or believed that Heney and Langdon felt the same way (719-20). I don't think Spreckels mentioned Schmitz in connection with immunity other than he mentioned Schmitz in connection with Ruef, as to his feeling of vindictiveness, and the general subject of the conversation was the subject of immunity (720). I am not certain at which caucus it was that the mention of R. came up in addition to the other matters we had mentioned. Of course I cannot divide up and segregate the statements made at the two caucuses, and it was either at the first or the second caucus that the matter of R. was brought up. I think that at the previous caucus some of the members had asked about R., as to whether the proposition would include him, and I spoke to Spreckels about that and told him I wanted to know whether or not R. would be included in the matter, because I desired that information before determining what I would do in the matter, and that some of the members also wanted to have that information before they decided what they would do in the matter, and Spreckels stated in substance that he had no vindictive feeling towards R., and that the political bosses would come and go and he felt that if R. would make a full and true statement of the transactions in the same way that the supervisors were expected to do, if they secured immunity, that the District Attorney and those associated with him would be willing to allow him to have the benefit of the same proposition, and I reported that statement to the members of the board at the caucus. I gave Spreckels to understand that R's immunity was a condition on which I desired information before proceeding. In substance he told me there was no vindictiveness on the part of himself, and my best recollection is, too, that he included Heney and Langdon, as to R., and my recollection of that is based somewhat on the fact that I knew there was some bitter feeling between Heney and R., and that that statement from Spreckels was probably intended to make me feel that that was not as vindictive a matter as I thought it might be (876-81). I did testify at the first Ford trial, page 300, as follows: "A. Didn't you insist that R. was to be taken care of as well as yourself if you came across? A. I don't remember that it was necessary to insist (881).

"In that conversation with Spreckels I made no confession or admission of guilt and to a certain extent I was at arm's length. Spreckels did not charge me with any crimes or offenses in that talk." (824)





"Mr. Spreckels in that first talk mentioned the District Attorney and Mr. Heney and Mr. Burns as being associated with him in the matter, that he was acting with the District Attorney. I don't think he then mentioned that Burns was a detective, or who was paying him, and I don't think he went into detail as to his associates or how long Heney had been in connection with the matter or how long he and Heney had been engaged generally in the matter (827). I have no recollection of Spreckels telling me who constituted the prosecution, but what I understood at the time was that it was the district attorney, Mr. Heney, Spreckels, and I am not sure as to Mr. Older, who was taking an active hand in the prosecution. Those gentlemen were associated together in the matter (723,4).

"Who I understood at that time to be associated with or connected with the graft prosecution, were Langdon, Heney, Older, and I think, Dwyer, and I have seen statements in the papers that Phelan was interested in the matter and I believe he was at the time I went to the Presidio. I understood that Burns was a detective working with them in the matter and giving his exclusive attention to the matter; I understood he was working for the Graft Prosecution and I had no information as to who was paying his bills, except I had seen reports in the papers that Spreckels had contributed a large sum of money to defray expenses." (815-817).

"My best recollection is that the Supervisors had three caucuses on the matter before it was finally settled. They were not formal meetings, but we simply talked over the proposition. There may have been four caucuses." (882)

"After my first talk with Spreckels I called a meeting of the Board." (856)

"After my first talk with Spreckels, I think I saw Wilson first and told him to see the boys, and told him, or whoever it was, to tell the others to come to the meeting. I got the meeting together just as soon as I could and I think it was the same day, and it was at the board rooms on Eddy Street, and I think there were some absentees, but a substantial number were present; it was more of an informal talk at that meeting. It was not an organized meeting, and no minutes kept. My best recollection is that at that meeting I simply said to the members that I felt that they knew what we had been called together for, they understood the circumstances, some of the members being in trouble, and there was no necessity of going into details, and then I reported to them that I had seen Spreckels, and what he stated. I was not referring to any fact that I had talked to them about it, but what I referred to was that I was satisfied that they had talked among themselves. I probably made the statement that some of the members had been trapped, and I may have said that certain members had made statements or were about to do so; I undoubtedly did mention that fact, and I reported to them as well as I could, what Spreckels had said to me. The substance of that report would be about that Spreckels had said that the proposition was not to prosecute the members, provided they would make full and true statements of their relations with the transactions of quasi-public corporations, and the large interests in the city that they may

1. The first thing I noticed when I stepped out of the plane was the cold, crisp air. It felt like a fresh blanket after a long, hot journey. The ground below was a mix of dark, rich soil and patches of dry, yellowed grass. In the distance, rolling hills met a clear, blue sky. The sun was just beginning to set, casting a warm, golden glow over the landscape. I took a deep breath, savoring the scent of the earth and the promise of a new adventure. The silence was broken by the distant chirping of birds and the soft rustle of leaves. It was a peaceful moment, a perfect start to a new chapter in my life.

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1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

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"have had unlawful dealings with (857-9).

"Upon my making that report to the first caucus, the members discussed the proposition and asked some questions concerning other matters that they desired to be covered by any agreement, and which had not been mentioned by me; there was the matter of the removal of Railroad Commissioner Wilson, and he desired to have some understanding that the prosecution would not insist or engage in a fight upon him in that to oust him (859-860).

"There were two or three caucuses of the board on the subject and it may be that at one of those the fact was mentioned that Boxton had a contract; that is, someone may have said that, but I do not remember that Boxton stated so at any of those caucuses. It is my best recollection that at least up to the time of the last caucus Boxton had said that he had a contract (854). I do not recall whether Boxton's contract was mentioned or discussed at the caucus. Probably the subject matter of Boxton having given his statement; was discussed there, the discussion would involve that, but whether the terms of any contract of his was discussed I don't remember." (854,5)

"There was the matter of Duffy being removed as chairman of the Board of Works discussed at the first caucus, and it was not desired that anything should be done that might bring about his removal; and there were some other matters." (859-60)

"All of the matters that the members wanted information about were not brought up at the first caucus." (861)

"I can't segregate the different matters at the different caucuses." (868)

"At that first caucus the members asked me about their term of office, and I told them I would take that up with Spreckels, that is, as to whether they should be called upon to resign or to serve their terms out, they wanted to know about that." (860)

"Nicholas spoke at the first caucus about the indictment against him, and wanted some understanding about it, that was some small amount, \$16 or \$20 which he was accused of accepting on some furniture proposition which was sold to the city." (859-60)

"Some of the members at some of the caucuses wanted to know about the affidavit that had been made in the Langston suit, and that was one of the matters I brought up with Spreckels, and that discussion as to immunity for those affidavits included the affidavits and answers that had been verified in the case. That was not mentioned by Spreckels to me until I mentioned it to him, but I don't know what member brought it up (863,4).

"The members also wanted to know about keeping the money; my recollection is that it was more of an inquiry as to my view of it as to what the prosecution or anyone could do about it, the matter came up for discussion that time, and they asked me the question and I told them I was satisfied that it could not be re-covered." (860)

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"Should we have any more of these?"

"I think you'd better get some more."

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1862. It is a very long letter, and it contains a great deal of information about the state of the country at that time. It is a very important document, and it is one of the most interesting documents in the collection.

~~The~~ will have been sent out by the end of the month.  
The following information was received from the Bureau of  
the Federal Reserve Bank of New York City, dated May 19, 1968:  
All of the above mentioned information was obtained from the  
Bureau of the Federal Reserve Bank of New York City.

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the activities of the Committee for the Liberation of the People of the South (CLPS) in the United States. The Commission is therefore unable to determine whether the CLPS is a legitimate organization or a subversive group. The Commission is therefore unable to determine whether the CLPS is a legitimate organization or a subversive group.



"It was either the same day or the next day, or possibly "the second day after that first caucus that I again met Spreckels." (861)

"Owens made the appointment for the second meeting with Spreckels at the Presidio (861). Owens did not attend the caucus "or any of those meetings at the Presidio." (861)

"According to my best recollection what I said to Spreckels "in the second conference was that there was some matters that had "arisen in my talk with the members that I had not been able to make "any report to them upon, and then I mentioned to him those that had "arisen at the first caucus." (875,6)

"My second talk with Spreckels was at the same place and "in the day time and alone, and we walked up and down inside the "same entrance to the Presidio. I reported to Spreckels in that "second talk with him that there was some matters that the members "desired to have included in any immunity arrangement, and I men- "tioned to him the matter of the indictment against Nicholas and "the Wilson matter and the Duffy matter and the matter of the re- "moval of the board; and Spreckels stated that he would take these "matters up with the District Attorney and Honey and the other "gentlemen that were interested in the matter, and would let me know." (862-8).

"At the second conference with Spreckels, or at one of "them I presented to Spreckels the propositions of the Nicholas "furniture deal, the tenure of office for the members, whether they "should be required to resign, and the ousting of Wilson as railroad "commissioner, and about holding out, or giving the money back, and "I do not remember of his making objections to any of the matters that "I spoke to him about (871,2). I did testify at the third Ford "trial, page 863, as follows: 'I met Spreckels again and laid before "him these propositions and they were agreeable to him; he made no "objection to them; he said it was the important matters that he was "interested in.... Q. What did he say upon that subject when you "laid these propositions before him? A. Well, Mr. Spreckels said "that those propositions were acceptable so far as he was concerned, "and he would consult with his associates and would advise me later.' "There was no disagreement between me and Spreckels upon any of the "matters, either proposed or suggested by me as coming from the Board; "we reached an agreement upon all of the matters that we talked about. (872,3)

"I also told Spreckels that Wilson was anxious that the "prosecution should not attack him in the matter, and should not have "him removed, and he said he did not think there would be any "difficulty about that, because that was a State office, and would be "in the hands of other persons, and that that they had no control "over it (870).

"Spreckels said he would submit the Nicholas indictment "to the district attorney and his associates, and would let me know, "and that he thought it would be all right; Nicholas was then under "indictment, and he expressed the idea substantially that he was "satisfied he could arrange that." (870,1)

"I don't remember anything about the return of the money "being mentioned at my first talk with Spreckels, but I think at "some one of the talks with him I told him what I thought was the

"It was during the early part of the year 1907, or possibly  
the summer of 1908, that I first became acquainted with [redacted]"

(10)

1941 "difficult" and "unpleasant" and "the worst" of the year

1. The first of these is the fact that the majority of the population of the United States is of European descent. This is a fact which has been recognized by the government and the people of the United States for many years. It is a fact which has been recognized by the government and the people of the United States for many years.

10-10-1944

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United Kingdom regarding the progress of its investigation into the matter.

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12. The following information was obtained from the records of the Department of the Interior, Bureau of Land Management, regarding the land owned by the United States in the State of California:



"Law, and he said he understood himself that that was the case."  
(859,60)

"My recollection is that it was at that second talk with Spreckels that he told me that it was his understanding that the Board could not be compelled to give up the money; I told him the matter had come up and that I had given my view of it as to what the law was and he said that his information was the same. My recollection at the second R. trial about that point would be as good as it is now. I did not want them to rest with my opinion on the matter, and it was for my own information that I wanted to know from Spreckels if he understood the law that way, but I don't know whether Spreckels knew that I was looking for information for myself, but it was not a proposition submitted from the caucus to him to be put in any contract. I felt there was a possibility of trouble being made about it, and I wanted to know what their view of the law was, because I felt that they would not attempt to do a vital thing. The Board seemed to be satisfied with what I said to them on the subject of the money before I spoke with Spreckels about, and I mentioned it to Spreckels for the purpose of getting information, and I may have mentioned to him that I might have been asked about it at the caucus. My best recollection is that I mentioned to him that some of the members had asked at the caucus whether the money could be recovered from them in any way or whether there was a legal way in which they could be deprived of it." (862-8)

"It would be substantially correct to say that Spreckels said he personally believed it would be unwise to require the board to resign as Schmitz would appoint their successors, and that he would much prefer if it would be possible to see the board proceed and endeavor to make a good record and redeem themselves as much as possible during the time that they would be in office, and he thought if we would do that, the public would approve of it, and the result would be beneficial to the members." (869)

"At one of the talks with Spreckels I told him that the members wanted to know about whether or not the board should be allowed to serve out their terms, and he said that in view of the fact that Schmitz would appoint their successors, he felt it would be better to remain in, and he said that he hoped the board would give a good administration and try to redeem their record." (868,9)

"Q. Did he say that the members of the Prosecution would be glad to advise with the Board if desired at any time while the board continued to hold office? A. I do not remember that he used the word 'glad', but my recollection of it is that it was more of an expression of a willingness to assist in any matter of advice of anything of that sort where the board felt that they would like to have it." (869)

"At the first or second talk with Spreckels, or at one of the talks with him, he let me have a blank form of an immunity contract which he said was similar to the one that Heney had been using. I think it was printed. (856,7).



"I got a copy of the form from Mr. Spreckels at the "Presidio, and he said that it was a form that Wacey had "used". (845-49).

"When I had the second talk with Spreckels, I called "the Board together again and reported to them that I "had mentioned to Spreckels in accordance with their under- "standing, and had talked with him about those matters, and "I stated as near as I could what he had said about them. "I said to them that Spreckels stated that he would con- "sult with his associates, and the District Attorney about "the Nicholas indictment, and that he thought that matter "could be arranged. I reported to them at that caucus "that had been said by myself and Spreckels concerning the "various matters that I had talked with him about." (875- 881).

"I met Spreckels again at the same place after that "second caucus of the Board, and I then spoke to him about "the additional matters that had been brought up at the "second caucus in which the members desired to know the "attitude of the prosecution." (882).

"At the final meeting with Spreckels, I told him that "certain propositions had been brought up in addition to "the ones we had talked over before, and I told him what "they were and told him to take them up with the gentlemen "associated with him, and felt satisfied the Board would "accept the proposition, and he said then that he would do "so, and that he had no doubt it would be all right, and "that in case the matter was satisfactory, that they should "go to the Gladstone to make their statements." (883).

"When I had my final conference with Spreckels at the "Presidio, the arrangement was that the immunity contract "was to be prepared by the District Attorney, and was to "be signed and ready at the Gladstone, and I expected to "find it there when I went to testify, but it was not there "and had not been written; and I did not object to testify- "ing before I received the contract; Owens was to have look- "ed over it, and either at that time or subsequently Owens "told me that it had been prepared, but I do know it was "not written at that time." (885).

"I think it was on the same day of my last talk with "Spreckels, that is when Spreckels reported to me that "those matters had been submitted to his associates and "that there was no objection, that I went immediately back "to the office of the Board and told the members to go to "the Gladstone and I think they went that same afternoon. "All of them were not assembled and waiting, but I think a "majority was there when I gave them that message. I think "they were there expecting word from me. I think it was "in the morning that I closed my interview with Spreckels, "and passed the word to the Board to meet at the Gladstone "and they assembled at the Gladstone about 3 o'clock in the "afternoon." (884,5).



"I am a member of the New York State Bar Association."

"I am a member of the New York State Bar Association."

(190-100)

*[The following text is extremely faint and largely illegible due to poor scan quality. It appears to be a multi-paragraph document.]*

1. The first of these is the fact that the Government has been unable to secure the necessary funds to carry out its policy. This is due to the fact that the Government has been unable to secure the necessary funds to carry out its policy. This is due to the fact that the Government has been unable to secure the necessary funds to carry out its policy.

"Q. Did you speak to Langdon or Heney about immunity before making your Gladstone statement? A. I spoke to Heney at the time, that is, just previous to making the statement concerning the matter; I did not speak to Langdon. Q. Well, at the time when you made the statement at the Gladstone in advance of having received a written contract, you took Spreckels for it and relied on him, did you not? A. I relied on Mr. Spreckels' statement that the agreement had been made, that the District Attorney had agreed on the proposition of immunity as we had talked it over. I relied upon that, and at the same time when I met Heney I felt that it was an important matter, and thought I ought to speak to him about it, and I did so." (893,4).

"The original immunity contract was a verbal contract. It was afterwards reduced to writing." (646-9).

"I finally got the written contract at the end of the month of July, 1907, when the Board went out of office." (895).

"I held one of the duplicates of the original contract of immunity and the other duplicate was left with the District Attorney and is held by him." (646-9).

"I have my contract of immunity in the safe deposit box and I hold it for the benefit of myself and my associates. But there was no private arrangement with Spreckels about my holding a copy of the contract; when the contract was signed it was in duplicate and I received one copy and Langdon kept the other." (219-20).

"This paper that I have handed you, is the duplicate that I have of the immunity contract entered into and I hold it for myself and the others who were mentioned in it under an agreement to do so and for my protection and theirs. (894). The reason Foxton's name is not in that contract is because at the time of making this agreement, it was understood that Foxton had made his own statements in that regard." (894-5); (Said contract is set forth above).

"It was my understanding at the time that if the District Attorney was dissatisfied with the truthfulness of the statements that I made and felt that I had violated my agreement, he would request my indictment by the Grand Jury and that I would be prosecuted under those circumstances." (645,6).

"The circumstances of our resigning were these: The papers were making a great many attacks and it was becoming uncomfortable and unpopular and to some of us it was irksome; some still desired to stay in, and finally the suggestion was made that it would be wisdom for the Board to retire. (855). My reason was for resigning that it was very uncomfortable and disagreeable to go on under the circumstances; at every meeting the press would make disagreeable comments and were creating a feeling of hostility, and it was practically intolerable, and I felt no good could be accomplished towards restoring myself and the Board to public confidence. (890).



"Some of the members objected to resigning in advance of  
"getting their immunity contract, and said they wanted to  
"get it in writing first. Who it was that called on the  
"Board to resign was Mr. Langdon--that is, he did not  
"call on me to resign, but I was present when he spoke to  
"some of the others about their resignation. I did not know  
"or understand that Surockels at that time required my  
"resignation; I learned from some of the members that Lang-  
"don had requested them to sign a resignation, and I was  
"glad to sign mine, and I did not see Langdon about it.  
"(291). Some of the members did not want to resign, and  
"there was objection on the part of some. (293).

"The District Attorney did not state to me that he  
"wanted the resignations of the Board; I resigned a short  
"time after Taylor was appointed, probably within a week  
"or two weeks, about the end of July, 1907 (1229).

"Taylor took office sometime in the month of July,  
"1907 and our Board elected him at the request of the  
"District Attorney if I am not mistaken." (1229).







(d). THE DEAL WITH SPRECKELS:

- (1) SPRECKELS SUGGESTS TO GALLAGHER THE KIND OF EVIDENCE WANTED, I. E., EVIDENCE BY WHICH SERVICE CORPORATIONS;
- (2) SPRECKELS DID NOT KNOW OF CONSPIRACY AS SUCH, BUT AT ALL;
- (3) GALLAGHER COMMUNICATED SPRECKELS' WISH TO THE BOARD;
- (4) SPRECKELS WAS WILLING TO TAKE SOME ACTION;
- (5) SPRECKELS WAS WILLING TO TAKE SOME ACTION;
- (6) SPRECKELS WAS WILLING THAT THE BOARD SHOULD FIND ONE PERSON WHO SHOULD BE TAKEN ACTION;
- (7) SPRECKELS AGREED THAT THEY WOULD BE IN SERVICE;
- (8) THE DEAL WAS THAT THE BOARD SHOULD BE THE POLITICAL SUPPORT OF THE PROSECUTION;
- (9) THE PROSECUTION WOULD BE THE POLITICAL SUPPORT OF SPRECKELS;
- (10) WICKOLAR, WILSON, AND BOARD'S TERM OF OFFICE, WERE AMONG THE CONSPIRATORS;
- (11) GALLAGHER DID BUSINESS EXCLUSIVELY WITH SPRECKELS;
- (12) SPRECKELS WAS TRAPPED AND GALLAGHER TRAP OF IT.

(1) "Spreckels Delicately Suggests to Gallagher the Kind of

Evidence Wanted:

"Spreckels said that the Political Bosses Would Come and Go and Political Officials Would Come and Go, but that the Public Service Corporations Would Remain Here and He Felt That They Were the Source of Whatever Bribery or Misconduct Was Going on, and they were His Objective Point." (Gallagher in 1st Ford trial, 293-300).

"What Spreckels Said to Me at the Presidio Was that the Prosecution, And Himself Particularly, Had no Feeling of Vindictiveness Toward the Members of the Board nor Ruef with Regard to These Matters and that in His Judgment the Important Thing was to Strike at the Corporations Who Were Responsible For Offering These Inducements to Political Bosses and Officials.....You Might State It That Way, That He Stated that the Public Service Corporations Were Really The Ones He Was After." (Gallagher in Second Ford trial, 277-281).

"Spreckels Said That His Desire Was to See Those in Control of the Public Service Corporations Who Had Been Irregularly Dealing and Having Illegal Transactions With the Board Punished. The Expression Was 'Public Utility Corporations'". (Gallagher in Second Ford trial, 323 - 340).

(2) "When Spreckels Spoke to Gallagher of the Bribery and Illegal Transactions, etc., of the Public Service Corporations, Spreckels Did Not Know that These Corporations Had Done Anything Wrong!"

"At no Conference Did Gallagher Tell Spreckels What His Statement Would Be in Any Matter." (Gallagher in 1st Ford trial, 375).

"When Gallagher Went to the Presidio He Had Made No Confession and Had Not Been Trapped." (Gallagher in Third Ford trial, 246-57).



"Ruef Never Gave Gallagher Any Information as to What He Was Getting and Gallagher Did Not Ask Because He Knew it Would Be Useless To Do So." (Gallagher in G.J., 75).

"Ruef Never Told Gallagher That Schmitz Was to Get Any of the Trolley Money or Any Other Money." (Gallagher in 1st Ford trial, 308 & 9).

"Prior to March 15, '06, Gallagher Did Not Tell Any Member That Any Money Was Coming or Had Come from R." (R.Prelim.Ex.Tues.Fol. 14, '06, 73-8).

"Gallagher Did Not Tell Any of the Members that the Trolley Money Was Coming from Ruef. Ruef Did not Tell Gallagher That he Was to Give Any of the Trolley Money to Schmitz and Gallagher Never Told Any of the Members of the Board How Much G. Was to Get. G. Never Spoke to Any of Them About What Had Been Given to Any of the Members (Gallagher in 3rd Ford trial, 276 & 7).

"Gallagher Did Not Speak to Them as to What Any Other Member Was Getting or Whether Any Other Member Was Getting Anything." (Gallagher in 3rd Ford Trial, 213).

"Gallagher Did Tell the Members that \$4,000 Would Be the Amount Allowed Them but He Was Satisfied He Did Not Say that Ruef Said It; Because G. Was not in the Habit of Mentioning that Ruef Was Giving Gallagher The Money." (Gallagher in 1st Ford trial, 323).

"The Rest of the Board Did not Know that Gallagher Was to Get \$15,000 or that Wilson Was to Get \$10,000 in the Trolley Matter, and G. Did not Intend that They Should." (Gallagher in 3rd Ford trial, 212 & 13); (Gallagher in 2nd Ruef trial, 1716).

"R. Had Made No Statement up to this Time To the Prosecution and Schmitz Had Made None Because Spreckels Was Telling Gallagher That Ruef and Schmitz Could Have Immunity if They Would Come Through; and Ruef Was Then Under Prosecution for Extortion."

(3) Gallagher Communicated Spreckels' Hunch to the Board.

"Gallagher Reported to the Caucus the Statements Made to Him by Spreckels." (Gallagher in 1st Ford trial, 302-8); (Gallagher in 3d Ford trial, 263,4); (Gallagher in 2d Ruef trial, 1171).

(4) SPRECKELS WAS WILLING TO TAKE RUEF ABOARD: (1st F.T.293-308)

(2d F.T.277-281)

(2d F.T.322-340)

(3d F.T.246-257)

(2d F.T.1171)

(2d F.T.1267-73)

(See also supra Gallagher in Calhoun Case)

(5) SPRECKELS WAS WILLING TO TAKE SCHMITZ ABOARD:

"G. thinks Schmitz was also Included And That His Name Was Mentioned at the Presidio." (3d F.T. 246-57)(G. in Calhoun Case, Supra)

(6) SPRECKELS WAS WILLING THAT THE MEMBERS SHOULD KEEP THE BOODLE EVEN THOUGH AS FAR AS HE THEN KNEW IT HAD BEEN EXTORTED:

"At the Second Conference Gallagher Told Spreckels that Some of the Members Had Spoken About the Prosecution Attempting to Recover The Money And Spreckels Said That He Understood That the Law on the Subject Was That They Could not Successfully Prosecute Any Action to Recover that Money." (2d R.T.1267-73). (G.in Calhoun Case, Supra).





"The force of this last above-stated testimony is that in the first place it was tantamount to consent that the members should keep the money; and in the next place it was not a question as to whether an action could be prosecuted to recover the money but whether the prosecution would demand the return of it without suit as a condition of immunity, and this latter condition they explicitly waived."

(7) "SPRECKELS AGREED THAT THEY SHOULD REMAIN IN OFFICE FOR THE REST OF THEIR TERM:

"Spreckels said he felt it would be better for the supervisors to remain in office." (1st F.T., pp.368-73.) (2d R.T., pp.1267-73.) (G. in Calhoun case, supra.)

(8) ~~THE DEAL WAS~~ THAT THE BOARD SHOULD BE THE POLITICAL PUPPETS OF THE PROSECUTION:

"Spreckels said that the members of the prosecution would be glad to advise with the board if the board desired it at any time, while they continued to hold office." (Gallagher, 1st F.T., p.391) (Gallagher in Calhoun Case, supra.)

Testimony of Borton in the Calhoun case, #1436:

"Elected Mayor by board and assumed office from July 9 to 16, (1765) I don't know why I was asked to become mayor, I don't think I gave it any thought. It was Gallagher and Langdon who spoke to me about taking the office, and they said they wanted some one to take that position and asked me if I would take it, and I said that it was all the same to me, and they fixed it up but I don't think they said why. They didn't know how long it was going to last, I asked them that and they said it might be for a day and it might be for the balance of the time; I don't think that Schmitz' name was mentioned at the time, and I don't know where he was; I know there was something going on, and I believe there was some controversy over who had the right to sign papers as mayor during the time I was occupying the position from July 9 to July 16, 1907, although I signed them, and I think some of them were signed by some one else; I cannot recall as to the tax roll."

(Nicholas' Testimony at the Calhoun Trial, #1436):

"Q. And were you to vote according to your conscience then, or as somebody else told you, if you remained in office as a supervisor? A. I believe we were to vote as we were told. MR. HENRY: Now I move to strike that out, and I object to him stating what he supposes. THE COURT: What are the grounds of the objection? MR. HENRY: According to that class of testimony, the prosecution might be made out greater criminals than these people. THE COURT: Let the answer be stricken out. MR. HENRY: We are perfectly willing to go into everything that was said and done. MR. ROGERS: Q. Was it not said to you by Mr. Gallagher that you were to remain in office and vote as you were told? A. Yes, sir. Q. And you voted as you were told? A. Whatever Gallagher told us to do after that we pretty near done it. Q. How long did that situation keep up, Gallagher telling you what to do? A. Until we left the office ..... I think that was from April to July, and I drew my salary in the meantime. Q. For voting as you were told, is that your idea? A. I guess we pretty near always voted as we were told to do by Gallagher anyhow. Q. And Gallagher got his orders where? A. I



The object of this book is to provide a comprehensive survey of the history of the United States from the time of the first settlement to the present. It is intended for the use of students and teachers in the study of American history.

THE HISTORY OF THE UNITED STATES FROM THE FIRST SETTLEMENT TO THE PRESENT. BY J. H. B. [Name obscured]

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THE HISTORY OF THE UNITED STATES FROM THE FIRST SETTLEMENT TO THE PRESENT. BY J. H. B. [Name obscured]

don't know; I could not say positively." (164-6).

"It was found that the opportunity to go on according to the plan as outlined by Spreckels could not be carried out, so the board decided to resign; the District Attorney advised that course." (1st F.T., pp.391-8.)

"Langdon suggested our resigning and some of the members were disgruntled." (3d F.T., pp.265-701.) (Gallagher in Calhoun Case, supra.)

(9) THE PROSECUTION WITHHELD WRITTEN CONTRACTS OF IMMUNITY.

"Gallagher inlined to think that at his first conversation with Spreckels it was the understanding that that contract should be in writing and Gallagher thinks that in the first conference with the board the written contract was mentioned." (Gallagher, 3d F.T., pp.258-63.)

"Before Designing Gallagher insisted with Langdon that written contracts of immunity should be executed." (Gallagher, 1st F.T., pp.391-8.)

"Some of the members objected to resigning until written contracts were placed in Gallagher's possession and some objected on the ground that it was part of the contract of immunity that they should remain in office." (Gallagher, 2d R.T., p.1098). (Gallagher in Calhoun Case, supra.)

(10) NICHOLAS; WILSON, AND BOARD'S TERM OF OFFICE WERE AMONG THE CONDITIONS:

"The propositions Gallagher presented to Spreckels at the second meeting were the Nicholas furniture deal, tenure of office, whether they should be required to resign and the ousting of Wilson as railroad commissioner." (3d F.T., pp.258-63.) (Gallagher in Calhoun Case, supra.)

"Spreckels said he had no objection to those propositions and I so reported to the board." (3d F.T., pp. 263,4.) (Gallagher in Calhoun Case, supra.)

"Some of the members would not resign because it was part of the immunity contract that they should hold on." (2d R.T., p.1098) (Gallagher in Calhoun Case, supra.)

(11) "GALLAGHER DID BUSINESS EXCLUSIVELY WITH SPRECKELS:

"Gallagher did not speak to Langdon about immunity before making the Gladstone statement; he took Spreckels for it and they relied on Spreckels." (Gallagher in Calhoun Case, supra.)

"Previous to the Gladstone meeting Gallagher did not meet with Heney at all in relation to the matter." (Gallagher, 3d F.T., pp.265-270.)

(12) "MEMBERS HAD BEEN TRAPPED AND GALLAGHER KNEW OF IT.

"Owens told Gallagher before Gallagher went to the Presidio that Lonergan and Walsh had given statements but that Borton had not yet made one." (Gallagher, 3d F.T., pp.246-57.) (Gallagher, 2d F.T., pp.1111-51.)

"Owens told Gallagher that Borton had been trapped and that others were in the same fix and that he was satisfied that the others had made some statements already and that Borton would make one." (1st F.T., 359-60.) 2d F.T., pp.323-8.) (Gallagher in Calhoun Case, supra.)



"Previous to the conference with Owens Gallagher had been advised of the happenings to which Roy was a party." (Gallagher, 3d F.T., pp. 264, 5.)

"SPECIFIC TO THE INDIVIDUAL WITH WHOM WE ARE DEALING"  
"THEY ARE THE ONLY ONES WHO CAN BE HELD RESPONSIBLE"  
"THEY ARE THE ONLY ONES WHO CAN BE HELD RESPONSIBLE"



NOTHING CONTRADICTION AND DISCREPANCY IN THE  
TESTIMONY OF GALLAGHER AS TO HIS VISUAL AND AUDIBLE CON-  
TACT WITH THE BOARD IN MANY MATTERS AND ESPECIALLY  
AS TO HIS MATING ADVANCE OFFERS TO THE MEMBERSHIP.

STILLARS WAS THE ALLGONE PRINTER IN THE CALHOUN CASE  
[1896] AND AS OF GALLAGHER'S CONTINUING TESTIMONY IN 1906  
COVERED SUCH THAT TO HAVE HIS IDENTITY BE CLAIMED HIS TESTI-  
MONY TESTIMONY IN A MORE OUTRAGEOUS MANNER.

(GALLAGHER'S TESTIMONY in the CALHOUN CASE in APRIL 1906:)

"Mr. Haney: Q. Mr. Gallagher, did you at any time have any con-  
versation with Abraham Ruef, prior to May 15th, 1906, the date at  
which the trolley permit ordinance was passed to print, did you at  
any time prior to that time, have any conversation with Abraham Ruef  
in regard to the trolley franchise? (477). A. I did. Q. I wish you  
would state when and where you had the first conversation with him  
on that subject and who, of anybody, was present? A. The first con-  
versation with him was a short time, probably within a week previous  
to the fire of April 18, 1906. (482). Q. What was said on that sub-  
ject in that conversation? A. Mr. Ruef stated that the United Rail-  
roads wanted to see whether or not that permit could be put through  
the Board and what amount of money it would take to put it through.  
That would be the substance of his statement. I replied to him that  
I could do so, or that was the substance of my answer; I cannot give  
the exact words of the conversation. (483).

"Q. When was the first conversation that you had with Mr. Ruef  
upon that subject after the fire? A. It was about--probably within  
a week; it is impossible for me to give it any more closely than  
that after the fire that the conversation took place. (486). Q. What  
was said in that conversation? A. Mr. Ruef stated that the United  
Railroads still wanted to get the permit to use electricity on their  
lines; and asked me to see the members of the Board and see whether  
or not the matter could be put through the Board. (487). Q. Is that  
all you remember of the conversation? A. I think he also said to  
ascertain what it would cost to do it. I told him that I would see  
the members and report to him about it.

"Q. What, if anything, did you do about seeing the members and  
talking with any of them on that subject? A. I spoke to a number  
of the members of the Board of Supervisors about it, and afterwards  
referred to Mr. Ruef. (488). Q. Can you recollect which ones you  
talked to about it? (488). A. I can recall a number of its members  
that I spoke to about it. (489). Q. Which ones do you recall  
having talked to? A. I spoke to Mr. Wilson, Mr. Weston, Mr. Holman  
and Mr. Hurey. I am satisfied, I am quite sure that I spoke to at  
least two or three others, but I do not recall to mind now just  
which ones I spoke to as to that preliminary matter. (490).

"Q. What did you say to Wilson on that subject? (490). A. I  
can't give the exact words of the conversation, but I told him, in  
substance, the United Railroads wanted to get the permit and asked  
him what he thought about the proposition-- Q. What did he say?  
A. Mr. Wilson said he thought it could be put through the Board.  
Q. Do you recall anything else as having been said between you in  
that conversation? A. I do not recall anything else at this time,  
Mr. Haney. There may have been other things said, undoubtedly were.  
I had a discussion with him about the proposition. Q. Was anything  
said in that conversation about how much should be paid to any of



"the members? (400). A. Mr. Wilson, according to my recollection, stated that it was a large proposition, and that it ought to be a LARGE payment in the matter-- Q. Was any amount fixed? A. I think he mentioned \$10,000, but not in such a way to state that he wanted that amount. (401). x x x Q. Was anything said in the conversation with Coleman about the amount of money that would be required, or that any member should receive? (404). A. I am not certain about that, Mr. Haney; my best recollection is that he did mention a sum that he thought ought to be paid but just what sum he mentioned I do not recall at this time. (404). x x Almost all of those that I spoke of spoke of its being an important proposition, and Mr. Purcy was one of those that spoke of it in that way. (404).

"Q. How long after your first conversation with Mr. Ruef was it, I mean the first conversation after the fire, until you had another conversation with him on the subject? A. Just probably three or four days, maybe not as long as that. I reverted to him concerning my conversation with the members. (404). Q. What was said? (405). A. I reported to him that I had spoken to several of the members of the Board, and that I was satisfied the proposition could be put through the Board. I told him that from the way the members talked they thought it was an important proposition, that a large sum should be paid. Mr. Ruef stated that he was in a position, or could give \$4,000 to each of the members of the Board in that matter. He asked me to see the members of the Board and see if that would be satisfactory. I told him I would do so. (406).xx

"Q. After having that talk with Mr. Ruef, did you have any talk with any of the members of the Board in regard to that matter? (408) A. I did. Q. With what members of the Board did you talk, and when was it that you talked to them with reference to the time that the trolley ordinance went to print? A. It was previous to the passing of the trolley ordinance to print that I spoke to the members about that matter. (408). Q. Did you see them all on one day? A. I did not. It continued over probably two or three days, and may have run along for a week before I saw all of the members. As to that I cannot be definite. My impression is that it took probably two or three or four days, something like that. I spoke to Supervisor Wilson, Dexten, Purcy and Coleman, Nicholas, Goffey, Harrigan, Phillips, Lonegan. I also spoke to some of the other members whose names I cannot recall at this time. (409). x x x

"There was a conversation I had with him (Wilson) in which I told him that there would be \$4,000 paid in the United Railroads matter, the trolley matter, and I asked him to speak to some of the members of the Board about the matter. He said that he would do so. He stated that would be all right, so far as he was concerned. (409)

"Q. Then and where did your conversation with Nicholas take place on that subject, and who, if anybody, was present? A. The talk with Nicholas also took place, according to my best recollection, at the Board rooms. No one else was present. The conversation was in substance the same as with the others, that is, I said to him that there would be \$4,000 in the trolley matter, and he said that would be all right, words to that effect. (409). x x x

"After you had this last mentioned conversation with Wilson, did Wilson report to you that he had had any talk with any member of the Board in regard to the \$4,000? (409). A. He did. Q. And what was said in that conversation? A. He stated that he had seen Mr. Munlock and Purcy and I think he said that he had seen Lonegan also





"but I am not positive as to his seeing Lenegran. He stated that the members that he had spoken to would be all right in the matter. He was satisfied the matter could be passed through the Board; (504).

"Q. Did you have any further talk with Mr. Ruef on the subject prior to the passage of the ordinance of May 11th, 1906? A. I saw Mr. Ruef, reported to him that I had spoken to members of the Board that it would be all right, the matter could be passed; (504).

"(After his Gladstone statement as to the plan was called to his attention, Gallagher testified as follows:) Q. You knew, did you not, Mr. Gallagher, that if you spoke to a few-- and I am speaking now about money matters and about there being money in particular propositions-- that it would spread to the others? A. That is true, yes sir, (507). The statement at the Gladstone was not specifically with reference to Mr. Nicholas. There was no question asked me concerning Mr. Nicholas. The general question was asked as to the members of the Board, how I dealt with them, that is, the portion that was read to me, and consequently there was nothing in that that would be directly in conflict with my statement. If I had been asked the question at the Gladstone as to my talking with Nicholas, I may have remembered at that time that I had talked with him, or I may not have remembered it at that time, and may have said that I don't remember it, or I am not certain of it, or I do not recall it at this time, or that I did; but I do not remember being questioned at the Gladstone specifically concerning Mr. Nicholas, (512, 19). The statement before the Gladstone is not inconsistent with these facts, Mr. Moore, except in the one particular as to whether Mr. Wilson had spoken to me that the boys would be satisfied with \$4,000 before I talked with Ruef, or whether it was afterwards. As to these matters of detail I cannot pretend to be certain. And I do not, as I have told you, I do not remember now making the statement at the Gladstone, but I have no doubt the report is correct, and at that time I may have made that statement, and it may have been fresher in my mind, and it may have occurred that way, but I am giving you now my recollection of it at this late date as to how it happened. (536).

"(After Gallagher's testimony in the First, Second and Third Ford trials had been called to his attention, he testified as follows:) Q. Mr. Gallagher, it was your custom, was it not, in these matters pending before the Board or to come before the Board, in which there was money, it was your custom to mention it to one or two and they would speak to others, and generally in that way--you might speak to Wilson, and in that way it would get around among the boys. That was the general custom, was it not? A. That was the general custom. That was the manner in which the matter would be initiated, and the others would come to me and I would take to them about it, or if they did not and I should meet them I would speak to them about it; (591).

"(After Gallagher had been shown his testimony in the Second Ruef trial on the subject, he testified as follows:) Q. When did Mr. Ruef ever mention the or any sum of money? In which conversation? A. My recollection is that it was in the conversation after I reported back to him that the matter could be put through the Board; (737). X X As to whether the sum of \$4,000 was mentioned by him (Ruef) first, or by me first, I could not be positive, Mr. Moore (738).





"My recollection is that in talking with them (supervisors) after the fire there was no opposition." (747).

(GALLAGHER'S GLADSTONE STATEMENT AS PROVED IN

GALLOPIN CASE OF MARCH 16, 1907;)

"Q. Now then, you made the arrangements with the different members of the Board; did you speak to each one about it before they voted? A. There was very little said, as a rule. Q. What was your plan in that, the beginning of it, now? A. The plan simply was to speak to some member of the Board and tell him to send the rumor among the boys there was likely to be a certain amount in this thing and then when the matter would come up it would be passed, and if anyone asked any questions about it, I would simply say it was all right (56).

"What was the next matter that came before the Board in which there was any payment made to the members? A. The trolley proposition. Q. Now, when was that matter first discussed with you by Ruef? A. That was discussed right after the fire. Q. Was there any discussion between you before the fire about it? A. Not that I remember, no. Q. Now then, what was the first discussion between you and Ruef in regard to the matter, after the fire? A. It seems to me I do remember that there was some discussion about the trolley before the fire; I don't think Mr. Ruef spoke to me about it. I remember now there was some newspaper talk about it, about the conduits, wasn't it, more about the conduits than the overhead trolley? A. I wanted to see if you had a talk with Ruef in regard to the trolley. A. No, no talk to him about it; it was after the fire (51).

"Q. What was the substance of your first talk with Ruef after the fire in regard to the trolley? A. He said that the United Railroads wanted to put in the trolley system, that their system was absolutely destroyed, and they wanted to put in a trolley system, and he said, if it can be done, why there will be a great deal of money in it. I said, well, I don't know whether the boys would want to do that or not. I said I will see how the boys feel about it, and I spoke--I think it was Wilson-- and took some steps to sound the boys out to see how they felt about it, and then I told Ruef, I said, there is a good deal of talk among the boys about this being a very difficult proposition on account of so much opposition to the trolley on Market Street, but I said, I think if you are anxious to put it through it might be possible to do it, and then he said he wanted to put it through, and said he thought it might be possible to get a large sum for it. Well, I told him it ought to be, and in talking with the boys about it I got the idea that they would not care to put it through for less than five to six, 000, that they ought to get that much. I told him I thought so, too. Ruef said it would be impossible for him to do that and I think then it was Wilson who talked with some of the boys about it and told me that he thought that they would be satisfied with \$4,000. I so reported to Mr. Ruef and he said all right, put it through. Q. Then you reported back to the boys or the members of the Board that four thousand-- A. (Intg). Yes, I told Wilson to let the boys know that would be the amount that they would receive (\$13,614)."





(GALLAGHER'S GRAND JURY TESTIMONY ON MARCH 12, 1907,  
AS GIVEN IN CALHOUN CASE:)

"But it was not customary for me at that time to go around to each member; I would not go to each member and tell him there was so much to be allowed, but would speak to two or three and the others would get information of it in that way, and that is the way--(65).

"Q. Was there a member of the Board you trusted more than others in telling-- to send word among them, or did you tell each one your- self? A. I would mention it to one or two, and they would speak to the others about it, and generally I spoke to Mr. Wilson about it, and it would then become known to the other members, I talked very little to them about those things (69;71).

"Now then, as to the trolley matter, I want to direct your attention to that: The testimony appears here that most of the members of the Board received \$4,000 from you on the trolley matter. A. Yes, sir. Q. Before the passage of the ordinance granting the United Railroads a license to erect poles and string wires for the overhead trolley over part of their system, did Mr. Ruef ever talk about it, in regard to what the payment should be? A. Yes, sir. Q. What did he say? A. He said, in substance, that he thought he could or would be able to secure enough money from them to allow each member of the Board of Supervisors \$4,000. That was about the substance of the conversation. I inquired from some of the members of the Board as to whether that would be satisfactory, and there was a good deal of grumbling among them, though, I understood, but I did not hear it. Q. That is, different ones told you? A. Yes, sir; and my reason for saying that is that I was informed by some of the members that there was some dissatisfaction over the payments they would receive on it. Q. They thought they ought to receive more? A. Yes, sir. Q. What was the price they thought they ought to get? A. Didn't fix any price, but Mr. Ruef stated that would be all they could receive, and it was finally decided to put the ordinance granting the franchise before the Board. Q. Did you tell Mr. Ruef that there was dissatisfaction with the price after the first talk? A. I did. Q. And what did he say? A. He said it would be all that they could receive for it.

"Q. Now then, you talked it over with them and reported back to him that it would go through all right? A. I don't remember talking it over with him again; I didn't; according to my recollection I said to one or two of the members of the Board, I don't remember which, I think Mr. Wilson was one of them, it was all that would be paid them; he, or whatever member it was that I spoke to, sent word to the other members of the Board, and then the ordinance was brought before the caucus, and the caucus decided to pass it" (65-68).

(Gallagher's Testimony at First Ford Trial in September 1907, as Given in Calhoun Case:)

"Q. Did you talk with any members of the Board about this ordinance at any time, whether in caucus or out? A. I don't remember





"of any particular conversation concerning it, Mr. Rogers; I may have  
"but I do not remember any conversation concerning the ordinance.  
"You mean the form of ordinance in which it was presented? O. No, I  
"mean the ordinance. A. You mean the proposition of granting the  
"privilege of installing the trolley? O. Yes. A. I think I spoke to  
"several of the members about it; just which ones I could not state  
"positively now. I know that I did speak to Mr. Wilson about it.  
"O. Did you speak to any other persons about it, of the members of  
"the Board? A. Well, I think I did; I am quite positive I spoke to  
"several of them, but not all of them, but I cannot say which ones,  
"as I could not be positive as to the number. O. When did you do  
"that, speaking to them about it? A. When the matter was being  
"considered first and the proposition came up with the catastrophe  
"last year (1906).

"Mr. Ruef spoke to me about the matter and stated that the  
"United Railroads desired to secure that privilege and asked if I had  
"found out from the members of the Board what it would cost; I told  
"him no, that I had not, I had not spoken to the members at that  
"time; he then asked me to do so and I spoke to some of them about  
"it and subsequently saw Mr. Ruef and I told him I was satisfied  
"it could be passed and I asked him the amount of money he could  
"allow the Board if they passed it, each member. He told me then  
"that he could allow \$4,000 for each of the members outside myself;  
"so far as I was concerned, whatever compensation I was to receive  
"was to be settled afterwards. I spoke to some of the members, a  
"few of them; I remember particularly speaking to Mr. Wilson, I  
"think, and I asked Mr. Wilson to speak to some of the members and  
"find out (739).

"O. That he could or would be able to secure enough money from  
"them? A. Yes, sir. O. Didn't you tell the Board that? A. I told  
"the Board that that amount would be allowed to them; that is, I  
"sent word to that effect to some of the members, but I am satis-  
"fied that I did not say that Mr. Ruef said it; because I was not in  
"the habit of mentioning to any member of the -- to the members of  
"the Board of Supervisors that Mr. Ruef was paying the money, was  
"giving me the money (743)."

(Gallagher's Testimony at Second Ford Trial in  
November 1907, as Proved in Calhoun Case:)

"O. Did you speak to any of the members of the Board about the  
"matter prior to the passage of the ordinance to print on May 14th,  
"1906, after you had the first talk with Mr. Ruef after the fire?  
"A. I did. O. To what supervisors did you talk? A. I talked with  
"Mr. Wilson. O. Is that Andrew W. Wilson? A. Andrew W. Wilson, and  
"requested him to see as many members of the Board as he could con-  
"cerning the matter. O. What did you tell him to say to them?  
"A. I told him to say to them they would receive \$4,000 for support-  
"ing the trolley proposition. That is, in substance, the statement  
"to him. Of course, I would not pretend to give the exact words that  
"were used at that time. In all of these conversations, of course  
"I am giving the substance of them as closely as I can. O. Do you  
"remember any of the supervisors to whom you personally spoke?



"A. I spoke to Supervisor Sanderson, or, rather Sanderson spoke to me first, and I talked to him about the matter. Q. What did you say to him? A. I told him there would be \$4,000 to be paid on the matter. Q. What others did you speak of? A. I told him that there would be the sum of \$4,000 which would be paid to him in connection with that matter, on the trolley matter. Q. Do you remember any others you spoke to? A. I think I spoke to Coleman and Davis; and probably I spoke to several others, but I do not recall the circumstances just now" (674-674).

(Callagher's Testimony at Third Ford Trial  
In April 1908, as Proved in Calhoun Case:)

"Q. Now, after we have been over that matter once or twice, and possibly oftener, I ask you again now, which ones of the supervisors or personally saw and made propositions to similar to the proposition you made Coleman previous to the introduction of the ordinance; give us the names now, according to your best recollection, of the ones you in fact saw? A. Well, I recall speaking to Wilson; I spoke to Phillips, Sanderson, Boxton; as to Boxton I am quite certain, but I would not wish to be positive about it; but I am quite certain I spoke to Boxton about it. I think also I spoke to Thyer, although Mr. Wilson was to speak to him. I am not positive about Purey, but I think so. Q. Have you completed the list? A. I think I spoke to Mr. Davis about it. Q. Does that complete the list? A. That, I think, completes the list with the addition, of course, of Mr. Coleman". (844-857).

(Callagher's Testimony at Second Ruef Trial  
In August-December, 1908, as Proved in Calhoun Case:)

"Q. Now, Mr. Callagher, what was the first talk you had with Abraham Ruef about it, what did he say? MR. O'GARA. Are you referring now to after the fire? MR. ACH. Certainly. A. Mr. Ruef said that the United Railroads people still wanted that franchise, still wanted that permit to change their system into an electric system, and told me to see the members and see how they would stand on that proposition, on such a proposition. Q. Is that all of it? A. That is my recollection of it, Mr. Ach. (731-731-1/2).

"I did not say to them that there was any amount in it, or anything of that sort, I just asked them as to the proposition, as to whether they would be favorable to a proposition of that kind. My recollection is that they all said, yea, they would be favorable to a proposition of that sort" (734).

(Callagher's Testimony at Ruef Preliminary Examination  
In July, 1908, as Proved in Calhoun Case:)

"Q. Well, how could you get any information--you reported to Ruef it could go through, unless you spoke to those supervisors and found out? A. As I tell you, I am not clear on these preliminary conversations, whether before the talk with Mr. Ruef there was any report from the individual members or not; my best recollection is that I simply spoke to Wilson about it. Q. And asked Wilson to pass it along the line? A. That is, no--I--I am not clear as to that, Mr. Newburgh, not positive as to the report back to Mr. Ruef. As to whether there were two conversations with Mr. Ruef or only the one, I am not positive as to that. Q. Now, didn't you speak--A (Intg) My recollection as to that, as to the conversation with Wilson and others, is very dim. I am just giving you my impression on that. It is possible there may have been only the one conversation with Mr. Ruef, and yet I am not certain." (735-85).





NOTABLE CONTRADICTIONS AND MISSTATEMENTS IN THE TESTIMONY OF NICHOLAS AS TO THE ADVANCE OFFER OF MONEY TO HIM IN THE TROLLEY MATTER. NICHOLAS HAS TWO ALLEGED CHIEFS IN THE CALKOUN CASE, FIRST, AND HIS VARIOUS TESTIMONY, GIVEN WHILE IT WAS NOT KNOWN THAT HE HAD BEEN OFFERED MONEY BY A DIRECT OFFER, SHOWS HIS WORK OF ATTEMPTING TO FRAME OF IMAGINERY.

(NICHOLAS Testimony on April 16, 1907, in the CALKOUN Case.)

"Q. Did you have any conversation with James L. Gallagher in regard to that trolley matter? A. Yes, sir. Q. When did this conversation take place, Mr. Nicholas? A. I think it was on the Saturday previous to the matter coming up in the board; that is the best of my recollection. Q. And where did that conversation take place? A. At Mowry's wall... Q. What was said between you and James L. Gallagher at that time and place? A. Mr. Gallagher was just going out and he said: 'The matter of the trolley will come up'-- I ain't sure now whether he said Monday or not, but at the next meeting I believe it was. Q. Did you complete your statement of what occurred between you at that conversation? A. He said to me there would be four thousand dollars in the matter, and that the matter would come up Monday, and just about that time a man that was with Mr. Gallagher, I believe, when he went out, came back in and says: 'Harry up, we will miss that fellow,' and Gallagher went on. I am not positive whether I made a reply or not. Q. Had the matter come up in the board prior to this conversation between yourself and Gallagher? A. Not that I have any recollection of." (Direct Ex., pp. 82-5.)

(NICHOLAS Testimony in the 1st GLASS Trial on July 23, 1907, as DEVELOPED in the CALKOUN Case.)

"Q...did you receive \$4,000 upon the trolley franchise? A. Yes, sir. Q. From whom? A. Mr. Gallagher. Q. He told you that there was to be that money in it for you if you voted their way? A. I could not be positive of that. Q. What is your best recollection?-- did he not give you to understand-- A. I do not think it was Mr. Gallagher; I think it was a kind of an impression noised around in the board. I do not think it came to me direct from Mr. Gallagher; it might have, I am not positive. Q. Did you understand before that matter came up that there was to be something coming through on that? A. Yes sir. Q. Who told you so? A. I believe it was some of the members of the board, it might have been Mr. Gallagher, but I would not be positive it was. Q. You would not say it was not Mr. Gallagher? A. No, sir. Q. Did Mr. Gallagher tell you how much there would be in it? A. No, sir, I do not think he did. Q. Did he not tell you there would be four thousand dollars? A. I do not think Mr. Gallagher told me that. Q. You are quite sure of that? A. I have no way to frame my mind that he did." (Cross-Ex., p. 102.)





(NICHOLAS' Testimony in the 1st FORD Trial in SEPTEMBER, 1907,  
as DEVELOPED in the CALHOUN Case.)

"Q. What did he (G.) say? A. I cannot recall exactly what  
"he said: Q. Give us the substance of it according to your  
"best recollection? A. He told me that there was a resolution  
"before the Board for an overhead trolley and that there would  
"be about four, over four thousand in it, or something like  
"that." (Re-Cross Ex., p.387.)

(NICHOLAS' Testimony in the THIRD FORD Trial on APRIL 23, 1908,  
as DEVELOPED in the CALHOUN Case.)

"Q. Are you positive on the proposition that he did mention  
"four thousand dollars in the first conversation held between  
"you, or is that merely an impression on your part? A. The im-  
"pression I got is that he did mention the four thousand dol-  
"lars. The conversation was very short, and that is the im-  
"pression I have that is in my mind, that he mentioned four  
"thousand dollars. Q. You have an impression that he mentioned  
"four thousand dollars in that conversation? A. Yes sir."

(Cross-Ex., pp.156, 7.)



(2)

THE FABRICATED LIST-- THE IDENTIFICATION OF BILLS--  
TRACING CURRENCY FROM THE MINT INTO THE HANDS OF  
THE SUPERVISORS.

VIRTUALLY THE ENTIRE CASE OF THE PROSECUTION IN THE  
VARIOUS TRIALS OF FORD AND THE TRIAL OF CALHOUN,  
INSOFAR AS THE CONNECTION OF THESE DEFENDANTS  
WITH THE ALLEGED BRIBERY WAS CONCERNED, WAS  
CONFINED TO AN ATTEMPT TO IDENTIFY CERTAIN  
QUANTITIES OF CURRENCY WHICH HAD BEEN TAKEN  
FROM THE UNITED STATES MINT ON VARIOUS DATES  
BY GENERAL FORD ON THE ORDER OF PATRICK CAL-  
HOUN WITH CERTAIN CURRENCY SUBSEQUENTLY  
CLAIMED BY GALLAGHER TO HAVE BEEN PASSED TO  
HIM FOR HIMSELF AND THE OTHER SUPERVISORS IN  
CONNECTION WITH THE TROLLEY PERMIT.

HOW SOME OF THE SUPERVISORS UNDERTOOK TO SWEAR UP  
TO THE REQUIREMENTS OF THIS PREPOSTEROUS FABRI-  
CATION FURNISHES A STRIKING ILLUSTRATION OF THE  
EFFECT BROUGHT UPON THE CONSCIENCES AND MORAL  
NATURES OF THOSE MEN BY THE REVOCABLE IMMUNITY  
UNDER WHICH THEY WERE KEPT AND USED AS WITNESSES.

WE SHALL COME PRESENTLY TO THE VARIOUS TESTIMONY OF  
THE SUPERVISORS ON THIS PHASE OF THE PROSECUTION'S  
CASES, BUT LET US FIRST HEAR OUT OF THE MOUTH OF  
ASSISTANT DISTRICT ATTORNEY HINNEY HIMSELF THE  
PRECISE POSITION OF THE PROSECUTION ON THIS POINT:

(1) THE THEORY OF THE PROSECUTION ON THE IDENTIFICATION  
AND TRACING OF THE CURRENCY:





"We expect to show you that the only other money that came to the Mint at that time was \$200,000 which came there to the credit of Patrick Calhoun, president of the U. R. of San Francisco; that that money was transferred to the Mint on May 22, the day after this trolley ordinance had been finally passed. It was passed to print May 14 and finally passed May 21. On May 22 \$200,000 was passed to the credit of Patrick Calhoun. We expect to show you that that was the price paid to Ruef for securing the ordinance; 85,000 of which went to the supervisors as I have outlined; \$50,000 to Schmitz from Ruef, and the balance remained in the pocket of Ruef. We expect to prove to you that Mr. Patrick Calhoun went to Mr. Leach, the superintendent of the Mint, a few days after that \$200,000 was received and of course a few days after this ordinance had been finally passed on May 21, and told him he would like to arrange to have that money withdrawn from the Mint by Tirey L. Ford. We expect to prove to you that it was all withdrawn by Tirey L. Ford, \$50,000 on May 25, \$50,000 of it on July 31, and the remaining \$100,000 on August 23." (Opening statement of Heney, First Ford trial, #817, pp. 4-6.)

"We will prove to you that when Ford made application after Calhoun had been to Leach and told him he wanted to arrange to have Ford draw this money, when Ford made application for the first \$50,000 on May 24, Patrick Calhoun was still here in town and gave to Mr. Leach directions to turn that \$50,000 over to Tirey L. Ford and gave a receipt for that \$50,000 on May 24 and stated to Mr. Leach of the Mint that he desired to get it in currency; that Mr. Leach took him into Mr. Cole of the Mint and asked Cole if he had the currency and Cole said that they did not have it; that Leach thereupon took Ford into Mr. Hawkins of the Relief Corporation and told Hawkins that Ford desired to get \$50,000 in currency; that Hawkins stated that they could not give it to him but that it would take some time to count it and he had better call for it the next day; that on the next day which was May 24, Ford and Abbott called at the Mint in an auto; that they went in and found that this bundle of bills which had been put up by Mr. Hawkins and Mr. Selig made a package about that size (illustrating), because it appeared to be composed largely of \$1, \$2 bills, together with five and ten and twenty dollar bills, \$20 being about the largest bill there was in the package; these bills being bills that had been sent in to the Relief Corporation largely by mail in small amounts--many of them being \$1 and \$2 bills. That Ford and Abbott suggested that it was too big to carry and that thereupon the Mint employes divided it in two packages for them." (Opening statement, Heney, First Ford trial, #817, pp. 7-9.)

"On July 31, Ford, the defendant, and Mr. Abbott went to the Mint and Mr. Ford there asked Leach if he had a telegram from Calhoun, who was then in Cleveland, Ohio, authorizing him to pay to Ford \$50,000; that Leach replied that he had, and we expect to show you the telegram; that Mr. Ford stated that he would like to get that money in currency; and that thereupon Ford arranged with Burns of the



"U. S. sub-treasury that he would like to get this currency  
"and that Burns furnished him currency for the coin. That  
"that was large bills of not less than \$100 denomination each;  
"that Mr. Ford -- Abbott being with him-- carried that money  
"away. That on the following day Gallagher gave to each one  
"of the supervisors, with the exception of Wilson and Rea,  
"\$2000 in currency; that Gallagher received that currency from  
"Ruef; that that currency was largely \$1 and \$2 bills and some  
"\$5's and some 10's and 20's, in other words, was the \$45,000  
"of the original package of \$5,000 that Ford had obtained from  
"the Mint on May 25 and had turned over to Ruef; that Ruef  
"held that money to keep himself on the safe side until he  
"got his second payment of \$30,000 and then instead of paying  
"the supervisors the entire \$4,000 that had been promised  
"them, turned over to Gallagher only half of the total amount  
"of \$85,000, to wit, \$45,000, and Gallagher distributed among  
"the supervisors one-half of what had been promised them."  
(Opening statement, Heney, First Ford trial, #817, pp.9,10.)  
"That the remaining \$100,000 remained in the Mint until on  
"August 21 Leach wrote to Calhoun of the U. R., addressing  
"the letter to him here in San Francisco and mailing it  
"to him here in care of the H. R., insisting that the balance  
"of the money should be withdrawn so that settlement could be  
"made by him with the sub-treasury. That two days after that  
"letter was here Mr. Leach received another telegram from  
"Patrick Calhoun from Cleveland, Ohio, instructing him to pay  
"to Gen. Ford or order the sum of \$100,000 which was that  
"balance; that Ford appeared at the Mint on August 23, two  
"days after that letter had been mailed to Patrick Calhoun;  
"that Ford appeared and asked if Leach had received a tele-  
"gram from Calhoun authorizing him to pay that \$100,000 to  
"Ford and that Leach informed him that he had and thereupon paid  
"the \$100,000 to Ford, and that Ford went into the U. S. sub-  
"treasury and again arranged to receive the currency for this  
"coin-- Abbott being with him again. That Burns of the U. S.  
"sub-treasury again furnished the currency; again in large  
"size bills of not less than 50 and probably not less than  
"\$100 apiece and Ford carried them away. That within a day  
"or two thereafter, after this \$100,000 was paid to Ford  
"Ruef gave Gallagher the remaining \$40,000 of the \$85,000  
"which he had agreed to turn over to him and gave it to  
"Gallagher in currency of the denomination of \$100 bills,  
"the same as that second payment of July 31 that had been  
"paid to Ruef. That Gallagher thereupon paid within a day  
"or two, all of which was you will see within a few days  
"after August 23 when Ford got this \$100,000, the remaining  
"\$2,000 apiece, the remaining \$5,000 to Wilson, and of course  
"kept the remainder for himself." (Heney, Opening State-  
ment, First Ford trial, #817, pp. 10-12.)





(Gladstone testimony of Gallagher.) "The first half of the trolley money consisted of a number of small and some large bills; as small as \$5 and I think in some instances \$1 and \$2; the large ones were running about \$100 and quite a number (Gladstone pp. 18b 18c) -- the second half was mostly large bills, that is \$100; some \$5 but very few; a good many \$100 and \$50" (Gladstone, p. 18c).

(Grand Jury testimony of Gallagher.) The denominations of the bills in the first half of the trolley matter were generally small, that is \$1, \$2, \$5, \$10, \$20; perhaps a few \$50 and \$100 but very few (G.J., p. 71) -- the denominations of the bills in the second half of the trolley matter were generally small, that is \$1, \$2, \$5 and \$20; perhaps a few \$50 and \$100 but very few." (G. J., p. 71).

(First Ford Trial testimony of Gallagher) (#817). "The denominations of the bills in the first half of the trolley money were small, that is \$1, \$2, \$5, \$10, \$20; quite a number of \$1 and \$2; probably one-tenth in \$1 and \$2 (1st F.T., p. 230); small bills (1st F.T., p. 230) -- the second half of the trolley money was in large bills, \$50 to \$500, principally \$50 bills, \$100 bills and \$500 bills." (1st F.T., pp. 262, 3).

(Second Ford Trial testimony of Gallagher.) (#823.) "The bills in the first half of the trolley money were principally small -- \$1, \$2, \$5, \$10, \$20; possibly a few as large as \$50 but not sure (2d F. T., pp. 234-6) -- the bills in the second half of the trolley payment were large, mostly in \$50 and \$100, possibly a couple of \$500, but the larger portion was in \$100." (2d F. T., pp. 240, 1.)

(Third Ford Trial testimony of Gallagher.) (#812.) "The denominations of the bills in the first half of the trolley money were small, \$1, \$2, \$5, \$10 and \$20; may have been a few \$50 but very few; the bulk of it was in smaller denominations (3d F. T., pp. 164, 5) -- \$1, \$2, \$5, \$10, \$20; maybe a few of some other denominations but not enough to amount to anything (3d F.T., pp. 241, 2) -- the denominations of the bills in the second half of the trolley money were large; \$50 and \$100; may have been some others but almost entirely \$50 and \$100; the \$100 predominated (3d F.T., p. 163) -- large; \$50 and \$100, mostly \$100; may have been a larger denomination but I don't remember it." (3d F.T., p. 243.)

(Second Ruef Trial testimony of Gallagher.) (#1437) "The denominations of the bills in the first payment on the first half of the trolley money were \$1, \$2, \$5, \$10 and \$20 (2d R. T., p. 700); \$1, \$2, \$5, \$10, possibly a few \$20; I do not remember of any \$50 but there may have been two or three; I can't say how many ones there were but there was a large quantity,





"probably one-half was \$1; about eight or ten thousand dollars  
"or maybe more of \$1 bills, not so many \$2 bills. Probably  
"less than a thousand and more than two hundred of \$2 bills;  
"probably one thousand \$5 bills; the balance was made up of  
"\$5 bills and \$10 bills, about five hundred of \$5 bills; the  
"\$10 bills predominated over the \$20 bills. There may have been  
"one hundred \$20 bills (2d R. T., p.1499-1501); larger number  
"of \$10 than \$20 bills (2d R.T.,p.1522)-- the second payment on  
"the first half of the trolley money was in \$1, \$2, \$5, \$10 and  
"\$20 and the package was about the same size as the first payment  
(2d R.T.,pp.701,2); \$1, \$2, \$5, \$10, \$20 and a few \$50 I think  
"but not many; maybe a few \$100; I imagine there were more than  
"five of \$50; probably may have been thirty or forty of \$50 but  
"don't imagine more than \$20; probably two thousand or three thousand  
"and or maybe four thousand or five or six thousand of \$100 but  
"not less than two thousand; but \$2 were few, probably a hundred  
"of them; probably five thousand dollars or more of \$5 bills and  
"the balance was made up of \$5 and \$10 bills and others; probably  
"an equal number of tens and twenties (2d R.T.,pp.1506-8). The  
"outside figures on the second payment of the first half are as  
"follows: about five thousand ones, about one hundred two's,  
"about one thousand fives and the balance divided equally between  
"\$10 and \$20 (2d R.T.,pp.1508,9) -----the second  
"half of the trolley money was mostly \$50 and \$100 bills; no \$1  
"or \$2; no very small bills; no bills that I remember less than  
"\$10 or \$20 (2d R.T.,pp.710,11); more \$100 bills than \$50 bills  
(2d R.T., p. 1663); no \$1 bills in the last payment; I am not  
"clear as to whether there were two's, fives, tens, or twenties  
"in the last payment, may have been some \$500 bills but not  
"many." ( 2d R.T.,pp. 1667-9).

(Calhoun Trial testimony of Gallagher.) (#1436.) "The first  
"payment of trolley money was made to me about the first part of  
"July 1906 and it was \$20,000 or \$25,000 and it was in currency;  
"the denominations were \$1, \$2, \$5, \$10 and \$20 with a very few  
"larger bills, probably \$50 or \$100-- the second payment was  
"made to me by R. about the latter part of July and it was \$20,000  
"or \$25,000, sufficient to make up, with the first payment, about  
"\$45,000, substantially half of \$85,000; this second payment was  
"bills of small denominations, including \$1, \$2, \$5, \$10, \$20  
"bills, and possibly a few larger bills, but very few of them  
(Calhoun Trial,pp.521,2)-- Ruel made a third payment to me in the  
"trolley matter about the latter part of August and it was in  
"currency and the bills were of large denomination, \$50 and \$100  
"bills, principally \$100.(Calhoun trial, pp.520,1).



WITNESSES APPROPRIATED ONE POINT AS TO THE DENOMINATIONS OF THE BILLS AND HOW HIS MIND TO GIVE HIM EVIDENCE IN THAT REGARD:

(Testimony of Supervisor ROXTON given before Grand Jury.) "First trolley payment three or four weeks after passage of ordinance; \$2,500; small bills; not as small as a dollar or two dollars; five dollars up; five dollars and ten dollars and so on." (8).  
 "Second trolley payment probably a month after first payment; large bills; fifty dollars, one hundred dollars. Principally one hundred dollars." (8).

(Testimony of Supervisor ROXTON in the First FORD Trial 817)  
 "First trolley payment I think the latter part of August and quite a large package; \$2,000; the bills ran from one to twenty; may have been two, but don't recollect; could not say how many ones or twos or tens" (530-531).  
 "Second trolley payment later on, week or two, or maybe a month afterwards and I think one hundred dollar bills." (531)

(Testimony of Supervisor ROXTON in the second FORD Trial 823)  
 "First trolley payment I think in August, Gallagher handed me quite a bundle in buggy, two thousand dollars; the bills were small probably the highest was twenty dollars; can not say what were the smallest, but think they ran to one dollar; I think they ran from twenty to one" (479,80).  
 "Sometime later Gallagher gave me two thousand more but can't say when; to best of recollection they were probably one hundred dollar bills (480,1). I think there were some one and two dollar bills in that first trolley payment but cannot say how many." (485). "I cannot explain how I said before the Grand Jury that there were not." (485,6).

(Testimony of Supervisor ROXTON on the Third Ford Trial. 812).  
 "First trolley payment I think about first week in August, 1906, and in small denominations; I think first payment denominations from one to twenty dollars." (379).  
 "Second trolley payment a month or more after first payment and principally one hundred dollar bills; some fifty dollar bills; don't remember any other denominations." (379).

(Testimony of Supervisor ROXTON at the CALHOUN Trial #1436).  
 "The first payment was in small bills and ranged from \$1 to \$20 (1713-16). The second payment was \$50 and \$100 bills." (1716).







(Testimony of Supervisor COLLEMAN before the Grand Jury.)

"Gallagher paid me four thousand dollars in two equal payments. I cannot exactly tell whether large or small bills in the first payment; but I feel that one of the payments was made with large denominations, but whether it was the first or the last I cannot say. I cannot say whether the first payment or the second were small denominations." (21,2)  
 "In the payment that had the various denominations there were very few bills over twenty dollars; I remember the other payment was principally of large denominations." (21,2)

(Testimony of Supervisor COLLEMAN in the First WORD Trial.) (Pc. 217)

"About the end of July, 1906, Gallagher gave me two thousand dollars on the trolley, and in August two thousand more. I cannot recall the denominations of the bills in either of the payments, other than one payment was in small bills and the other in larger but I don't know which was which. The envelope that contained the small denominations contained a number of one and two dollar bills, fives, tens and twenties; I could not say how many ones and twos, quite a few of them. In the payment containing the smaller denominations there were not any large bills at all. I do not believe there was anything over a twenty dollar bill in the payment containing the smaller denominations." (466,7.) "The major portion of the second payment and may be all of it was in hundred dollar bills." (467.)

(Testimony of Supervisor COLLEMAN on the Second WORD Trial.)

"After the passage of the trolley ordinance Gallagher made me two payments, the first at the end of July, 1906, and the second the following month. I can not say what denominations the first payment was in. I cannot say as to the denominations of the second payment. I only recollect that one payment was in small denominations and one of the payments in larger denominations. The one in the smaller denominations consisted of ones, twos, fives and twenties principally. The major portion of the other payment, the one of the larger denominations consisted of one hundred dollar bills." (761,2.)

(Testimony of Supervisor COLLEMAN at the Third WORD Trial.)

"In one of the payments the currency was of small denominations, in the other payment the currency was all large denominations, but I do not remember in which payment the denominations were the smaller. In the payment in which the denominations were smaller the bills ran one, two, five, ten and twenty dollars; and in the payment in which the currency was all one-hundred dollar bills, there may have been fifties, there may have been one or two five-hundred; I cannot recollect that. The major portion of that payment in which the denominations were largest was in one hundred dollar bills." (58-55) "I don't know if I ever before today stated that in one



"of the payments there might have been bills as large as five-hundred dollars." (84.) "My best recollection is that there may have been a five hundred dollar bill in one of the payments, but the payment containing the large denominations was principally made up of one hundred dollar bills." (84) "You having now read me my testimony of the first Ford trial and also in the second trial, I see that I did not say anything on either of those trials as to any five-hundred dollar bills. Q. Well, how is that? A. Well, I just say now that there may have been a five hundred dollar bill; I would not say that there was, but I will say this, that the major portion of the payment in question consisted of one-hundred dollar bills." (84-87.)

(Testimony of Supervisor COLEMAN at The CALHOUN Trial #1436.)

"I cannot state the denominations of either of the two payments (1272-4). One payment was large denominations and the other small; by small I mean ones, twos, fives, tens and twenties. In the one in which the bills were large the major portion was \$100 bills and I think there were some fifties but I don't know which payment was first or second." (1274,5)

(5) DAVIS:

(Testimony of Supervisor DAVIS before the Grand Jury.)

Q. Do you remember that on one of these payments the bills were small bills, many of them one and two dollar bills? A. I don't think any of mine were that way, no. Except one of those payments, no bills or very few bills over twenty dollars? A. No, I can't remember that. I believe mine were more large denominations.

(Testimony of Supervisor DAVIS in the First FORD Trial.)

"Two payments on the trolley. Can't tell date of first payment but it was some time after final passage of the ordinance, and if I recollect rightly the size of the bills were small denominations, ones, twos, fives, twenties; I suppose there were some tens, I have no distinct recollection; I believe there were those denominations." (418) Second trolley payment a short time after first; but don't know how long. I believe it was larger denominations, hundred dollars, I believe in hundred dollar bills." (419) "I did testify before the Grand Jury as follows: Q. Do you remember that in one of those payments the bills were small bills, many of them one dollar and two dollar bills? A. I don't think any of mine were that way, no. Q. As to one of those payments, no bills or very few bills over twenty dollars? A. No, I can't remember that. I believe mine were more large denominations." "After that testimony I read the testimony of others and tried to recollect and believe that I made a





"mistake in that assertion before the Grand Jury and my impression was corrected since. I cannot tell now whether if another few months run round, and I got thinking some more I will change my testimony again." (428,9)

(Testimony of Supervisor DAVIS in the Second Ford Trial.)

"The first payment was in small bills to the best of my recollection, ones and twos, and fives, tens and larger. The second payment was in larger denominations; I believe some one hundred dollar bills, there may have been a five-hundred dollar bill among it, but am not positive and don't know." (732,3) "The first trolley payment was small denominations; to the best of my recollection there were ones and twos, fives and tens." (735) "I was called suddenly before the Grand Jury and gave the matter no thought and right afterwards I thought the matter over, having read and heard the other testimony being given and I tried to arrive at the truth of the matter, and remembered it was a fact that there had been small bills paid to me in the first payment. I believed that testimony before the Grand Jury when I gave it." (735-7)

(Testimony of Supervisor DAVIS at the Third FORD Trial.)

"The first payment was quite a number of weeks after the first passage but I don't recollect exactly; the first payment to the best of my recollection was in ones, twos, fives, tens and twenties." (391,2) "Second payment probably four or six weeks after first payment and I believe in one hundred dollar bills; I think there was also five hundred dollar bills in the second payment." (392) "To best of my recollection first payment contained ones, twos, fives, ten and twenties." (394) "I remember now that in the first payment the bills were all small denominations; before the Grand Jury I said I believed the bills were large denominations; it was due to my state of mind excited; after I had time to think the matter over I testified that the first payment did contain smaller denominations. A. At the time when you did not think it amounted to anything you were of the belief that the first payment was of the larger denominations? A. Yes, at the time when I did not believe that the question-- that there was any significance in asking the question, I testified what I believed was the truth at that time." (394-7) "As to when it was I testified that in the first payment the denominations were ones, twos, fives and tens and larger, I believe when the first trial of Ford took place, or shortly before that, I tried to think the matter over and I remembered then that there was one of those packages that contained smaller denominations. I had those bills in my possession and that is how I was able to recollect." (399) "I did testify in the second Ford trial (No. 823) as follows: 'The first payment was in small bills to the best of my recollection, ones, twos, and fives and tens and larger. The second payment was in currency of larger denomination, I believe some one hundred dollar bills, there may have been a five hundred dollar bill.'" (399,400). "I did not testify on one of the former trials that in the second payment



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"there may have been a number of five hundred dollar bills, just one." (400)

(Testimony of Supervisor DAVIS at the CALHOUN Trial #1436.)

"The first payment was small denominations, I believe, from 'two's up to twenties, possibly some ones, but not sure." (1492-4). The second payment was large bills hundred-dollar bills and "one \$500 bill, possibly some fifties, but not sure; none less than twenty." (1494) "First payment small bills, think they were from \$2 to \$20, possibly \$1 bills but not sure." (1502) "I recollected that there were small bills in the first payment after I read the testimony of the other supervisors in the "Call." (1513,14).

(6) FUREY:

(Testimony of Supervisor FUREY before the GRAND JURY.)

"Q. The first one, do you remember whether the bills were small, twenty dollars and down, or whether they ran large, have you any definite recollection on that? A. They were large. Q. Do you remember one payment in which you got dollar and two dollar bills, wasn't that the first payment? A. Yes. Q. Was there one payment in which there was a lot of one and two dollar bills? A. Yes sir. Q. Most all of the bills twenty dollars and less? A. Yes. Q. And the other payment had fifty dollars and one hundred dollar bills? A. Yes, couldn't say whether it was the first payment or the last, as you say one was with small bills. Q. One dollar, two dollars, five dollars and twenty dollars. A. Yes." (103,4)

(Testimony of Supervisor FUREY in the First FORD Trial.)

"Cannot recall the first payment; am not positive as to denominations but know that in one payment they were small and in the other very large; in the payment that was small the size of the bills was from twenty dollars under; there were one dollar bills but I do not know how many, and two dollar bills but I don't know how many, and there were five and tens; " (569,570) "Second trolley payment little time after first payment; one payment was small bills and to the best of recollection the others were hundreds and fifties." (570,1)

(Testimony of Supervisor FUREY in the Second FORD Trial.)

"Cannot tell what denominations the first payment." (354) "I cannot state the denominations of the second payment." (354-7) "One of the payments was large bills, mostly one hundred dollar bills. The other payment would run from ones to twenties, between the ones and twenties I can say there was twos, fives

There are two main types of this material, one of which is the "hard" type, and the other is the "soft" type. The "hard" type is made of a mixture of sand and cement, and is used for the construction of foundations, walls, and other structures. The "soft" type is made of a mixture of sand and cement, and is used for the construction of foundations, walls, and other structures. The "hard" type is made of a mixture of sand and cement, and is used for the construction of foundations, walls, and other structures. The "soft" type is made of a mixture of sand and cement, and is used for the construction of foundations, walls, and other structures.

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"and tens, but I cannot give you any idea how many ones, twos, fives, tens, or twos there were." (357)

(Testimony of Supervisor FUREY in the Third FORD Trial.)

"One payment was large and one small bills; by large I mean principally hundred dollar bills. In that payment in which there was principally hundred dollar bills there were also fifties; but I don't recollect any other denominations were paid me first or last. One package was from one dollar bills to twenty dollars, ones, fives, tens and twenties." (308-10) I was excited and worried before the Grand Jury, and I say now that one of the payments was of large and the other of small denominations, but I cannot say which." (325,6)

(Testimony of Supervisor FUREY on the Last RUEF Trial.)

"One trolley payment was of large bills, fifty and one hundred and the other payment was of small from ones to twenties; my recollection of the other payment is that they were all fifty and one hundred dollar bills; cannot tell which payment contained the small bills and which the large bills." (1819-20) One trolley package was large bills, fifties and hundreds but I don't know which package; the smaller currency was old bills; some of them." (1862-64)

(Testimony of Supervisor FUREY at the CALHOUN Trial #1436.)

"I don't know the denominations of the first payment nor of the second payment; but one payment was small bills, from ones to twenties, and the other payment was larger bills, 50's to a 100 inclusive." (1775-7)

(7) HARRIGAN:

(Testimony of Supervisor HARRIGAN before the GRAND JURY.)

"The size of the bills in the first payment were mostly \$5, \$50, \$20 and \$10, \$50 and \$100. 2. They ran that way in all those payments? A. All the time, I did not pay much attention to it." (41)

(Testimony of Supervisor HARRIGAN in the First FORD Trial No. 817.)

"Two payments from Gallagher; first payment I think in latter part of July and denominations I think were from \$1 to 20; there were twos and fives and tens in first payment. Could not state how many ones and twos." (477,8.) Second payment in the trolley about 3 months after first October; just after I got back from the east; I think the denominations of the second payment were large bills; from five to a hundred; I think there were hundred dollar and 20 dollar bills; I am not sure about that." (478)







(Testimony of Supervisor HARRIGAN in the Second FORD Trial #823.)

"Gallagher paid me \$2,000 some time in July and it was in small money, ones to twenties, I think; there were twos in it and fives and tens, but can't give any idea of the number of each kind." (521,22) "It is true that this morning I tried to make it sound from one to \$20; that is the way I feel about it; I don't know why I didn't think so before the Grand Jury; even this morning I say there were some 2-dollar bills in it. I don't know how I came to mention 50's and 100-dollars before the Grand Jury, though I practically say today there were none larger than 20's." (526-29) Second payment was in bills of from 5 to 100; no definite recollection of how many hundreds in that payment or how many of any denominations." (522-4) I did testify at the former trial (No. 817) as follows: 'The denominations of the second payment were large bills, from \$5 to \$100, I think; I think there were hundred and twenty bills; I am not sure about that.' " (533,4)

(Testimony of Supervisor HARRIGAN on the Third FORD Trial No. 818.)

"First trolley payment the end of July, 1906, and was in small bills in the first payment, that is 1's, 2's, 5's, 10's and 20's." (329-330) "I testified before the Grand Jury as follows: 'The size of the bills in the first payment were mostly all 100 dollars, \$50, \$20, \$10 and \$5.' " (332) "I was before the Grand Jury 15 or 20 minutes and my mind might have been a little mixed up at that time." (334-335) "The denominations of that second payment were 5's, 10's, 20's, 50's and 100's." (330-336)

(Testimony of Supervisor HARRIGAN at the CALHOUN Trial #1436.)

"The first trolley payment was in ones, two's, fives, tens and twenties." (1611) "The second payment was fives, tens, fifties and hundreds." (1611,12)

(3) KELLY:

(Testimony of Supervisor KELLY in the First FORD Trial No. 817.)

"First trolley payment some time after the passage, but I cannot recall when the denominations ranged, I think from 10 to \$100. There were no 1's or 2's." (482) "To the best of my recollection the second payment was 100 bills." (482-6)

(Testimony of Supervisor KELLY on the Second FORD Trial No. 823.)

"Six or ten weeks after passage Gallagher gave me \$2,000 in denominations of 5's, 10's and 20-dollar bills, I think; there were no smaller ones." (453,4) "A considerable time afterwards Gallagher gave me \$2,000 more and I think the bills were \$100 bills, nearly all of them." (455) "The denominations of the bills of the first payments were, I think, 5's, 10's and 20's." (456) "I testified at the last Ford trial as follows: 'Gallagher told me there would be some consideration in it. I think



"he mentioned \$4,000. I received the first payment after the passage, but can't recall the date, and the bills ranged I think from 10 to \$100. Q. Any ones or two's? A. No, sir. And I believe that is my present recollection since I have been corrected." (457,8)

(Testimony of Supervisor KELLY on the Third FORD Trial No/ 812.)

"The denominations of the first trolley payment were 5's, 10's, \$20 bills I believe." (354-8) "I did testify at the Lonergan trial as follows: 'The denominations of the bills of the first payment were that they ranged I think from ten to one hundred dollars; there were no ones or twos', but my present recollection is from five to twenty. I know that there were no smaller bills than \$5 positively, but how I think they ran above five I am unable to state. I don't really think there were any hundred dollar bills in it." (359-60) "The denominations of the second payment were mostly \$100 bills; there might have been some twenties and some fifties, I don't exactly know. I think nearly all of the bills were \$100 bills in the second payment, the most of them were, anyway." (354)

(Testimony of Supervisor KELLY at the CALHOUN Trial #1436.)

"To the best of my recollection there was no small bills in the first payment under \$5 and \$10 and don't think there were any over a hundred but not sure; am positive none under five and none over a hundred; think there were fives; may have been tens, possibly twenties." (1448,9) "I think the bills were larger in the second payment, probably \$50 or \$100 bills or probably all hundreds, no small bills." (1450,1)

(9) LONERGAN:

(Testimony of Supervisor LONERGAN Given before the Grand Jury.)

"The denominations of the bills in the first payment were mostly large. The second payment was put into my book one day and later when I complained to Gallagher on the steps of the bank I found it in my book. I have no recollection as to the denominations of the bills placed in my book; they were of different denominations--all the payments I got ran from \$20 bills to I think as high as \$500. Some of these payments were \$500 bills and some \$100." (15,16)

(Testimony of Supervisor LONERGAN on the First FORD Trial No/ 817.)

"The end of July or the first of August Gallagher gave me \$1500, I think; as I recall me it was in currency of small denominations, 20's and 10's and 5's; they may have been smaller bills there; there were some smaller bills; I don't remember any smaller bills, but there may have been another smaller denomination. I have no recollection how many one dollar bills. I subsequently told Gallagher it was \$500 short and he gave me another \$500." (105-07). "I got \$2,000 more from Gallagher in

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TO THE EDITOR OF THE JOURNAL OF THE AMERICAN CHEMICAL SOCIETY  
FROM THE DEPARTMENT OF CHEMISTRY, UNIVERSITY OF CHICAGO  
CHICAGO, ILLINOIS 60637, U.S.A.  
SIR,  
We have the honor to acknowledge the receipt of your letter of the 15th of June, 1964, in which you inform us that you have received a copy of our paper, "The Structure of the Benzene Radical Cation," published in the JOURNAL OF THE AMERICAN CHEMICAL SOCIETY, Vol. 86, No. 12, December 1964, pp. 4000-4004.  
We are pleased to hear that you have received a copy of our paper and are grateful for your interest in our work. We are sure that your paper will be of great interest to our colleagues in the field of organic chemistry.

Very truly yours,  
R. M. Waymouth  
Professor of Chemistry  
The University of Chicago  
Chicago, Illinois 60637, U.S.A.

cc: Mr. J. H. Goldstein, Editor, JACS  
Mr. J. H. Goldstein, Editor, JACS  
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"my pocket book and my recollection is they were very large bills, "a hundred and over, possibly, I don't well recollect the denominations." (107,110) "To the best of my recollection the first payment of \$1500 was in one dollar and two dollar and five dollar bills; small bills; I went over to Gallagher's and got \$500 more and that was given to me in bills of different denominations also, "small bills." (182) "The second trolley payment was in larger bills than the first one, large bills; I know there were some \$500 bills, but I don't know how many. Possibly some of the first payment was larger bills than tens; the second was of large denominations and I remember that because it was not so bulky in my pocket; I remember that one batch of bills was small, of smaller denominations than I got the second time; ones, two's, fives, tens, twenties possibly. I don't remember whether there were any ones, many fives, many tens or many twenties." (190,91) "I was rattled before the Grand Jury and what I now testify to is the result of subsequent conversation and investigation." (207) I testified before the Grand Jury as follows: "I have no recollection of the denominations of the bills placed in my pocket book; different denominations, all the payments I got ranged from \$20 bills to as high as \$500. Some of the payments were in \$500 bills and some \$100." (208) "Gallagher made me the first payment, I then got two thousand in currency in various denominations; all the way from one to twenty; I think there were some two's, there were fives and tens; there may possibly be fifty dollar bills among them, I don't recollect." (624,25) "The bills in the second payment were large, one hundred dollar bills and possibly five hundred dollar bills; I am not very sure of five hundred dollars, but the best of my recollection is that there was." (625-27) "The first payment was in bills of small denominations and it is my recollection that some of them were of one and two dollars, they were small bills." (629,30) "The denominations of the last trolley payment were quite large; if my recollection would serve me right now they were hundred; I am not positive on that five hundred." (653)

(10) MAMLOCK:

(Testimony of Supervisor MAMLOCK at the First FORD Trial No. 817.)

"The first trolley payment was in currency of various denominations; there were twenties and fives and I think there was a couple of hundreds in it; I could not state whether there were any as small as one and two dollars." (614) "Can't remember when I got the second trolley installment, and can't fix the denominations of it." (613,14) "I did not say that the first trolley money was in little bills; I said it was in bills of various denominations, not all of them small, I said I could not tell whether they were all small bills; I said there were some fives and twenties and some hundreds. I said there were fives and twenties. I did not say anything about ones and twos and I could not positively." (620,21) The second 2,000 I borrowed; it was somewhere around July that I needed the money and that I borrowed the 2,000, and that was in various denominations." (622,23)



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(Testimony of Supervisor MAMLOCK given at the Third FORD Trial, 812.)

"There were fives, tens, twenties, in that first payment and there may have been a few hundreds; I could not state definitely what they were." (339-40)

(Testimony of Supervisor MAMLOCK at the CALHOUN Trial #1436.)

"I don't recall the denominations of the first payment and cannot recall the second payment." (1910,11)

(11) McGUSHIN:

(Testimony of Supervisor McGUSHIN in the First FORD Trial 817.)

"About the end of July I think it was Gallagher gave me \$2,000 and the denominations were fives, tens, twenties, possibly fifties, I am not sure; there were not any ones or twos in it." (671) "I got my second trolley payment from Gallagher perhaps two or three months after the first, quite a long time, \$2,000 and the denominations were some hundred dollar bills, tens, twenties, and so on." (670,71)

(Testimony of Supervisor McGUSHIN on the Second FORD Trial 823.)

"Possibly around the first of August about two months after the vote Gallagher gave me \$2,000 and the denominations were fives, tens, twenties, and some fifties, too, I believe; there were no denominations less than five in that first payment. I never kept track of the first payment." (434-6) "Possibly around October, quite a while after the first payment, possibly two months afterwards, Gallagher gave me another \$2,000 and it was in fives, tens and twenties and several hundred dollar bills and some fifties." (436-9)

(Testimony of Supervisor McGUSHIN given on the Third FORD Trial No. 812.)

"About the end of July, 1906, Gallagher gave me \$2,000 and it was fives, tens, twenties and fifty dollar bills." (404-8; 10) "The bills in the second payment were some fives and tens, quite a number of twenties and fifties, and some one hundred dollar bills." (404,5)

(12) NICHOLAS:

(Testimony of Supervisor NICHOLAS in the First FORD Trial No. 817.)

"I don't remember how long the first payment was after the ordinance was passed to print and have no way of fixing it in my mind; it was \$2,000 and was in five and ten dollar bills. Q. No ones or twos among it? A. I have an impression there was five dollars worth of ones in it, but I am not positive of it though. Q. Do you remember any twos? A. No sir." (500)

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"I got the second payment in the trolley matter about a month or "maybe longer after the first payment and I believe it was in "one hundred dollar bills." (500,1)

(Testimony of Supervisor NICHOLAS in the Second FORD Trial No. 823.)

"The first a short time after trolley was passed but I "can't fix it definitely and it was \$2,000 and to the best of my "recollection it was in five and ten dollar bills; there might have "been five dollars in one dollar bills, I have an impression there "was. There were no larger denominations than tens to my recollec- "tion." (501,2) "The second payment was made to me by Gallagher "I should say about two months after the first payment, somewhere in "that neighborhood, quite a while afterwards, I have no way of "fixing that date definitely; it was in currency, and was \$2,000 "and the denominations were one hundred dollar bills." (502)

(Testimony of Supervisor NICHOLAS on the Third FORD Trial No. 812.)

"The first two thousand dollars in the trolley was in the "denominations of five and ten and twenty dollar bills, and there "were one five, one two, and three ones; that is my recollection "of it; one two dollar bill and three one dollar bills, making "ten dollars in all, with the five; I don't know how many five "dollar bills there were in that first payment, but I believe there "were some five dollar bills there; that is my recollection of a "part of that; there might have been only one; I am not positive "that there was any bill over twenty dollars in that first payment." (429,30) "It is my recollection that in the first payment there "was one five, one two and three one dollar bills." (436,7) "The "second trolley payment was \$2,000 and the denominations of the "second payment were fifty and one hundred dollar bills; that is "my recollection; could not say how many there were of fifties or how "many there were of one hundred dollar bills in that second payment; "they might have been evenly divided; I don't think there were any "small bills in that second payment." (430)

(Testimony of Supervisor NICHOLAS at the CALHOUN Trial #1436)

"The first payment was in 20's and 10's and I think three "1's and one 2 and one 5." (87,8) "The second payment was in 50's "and 100's." (89,9)

(15) PHILLIPS:

(Testimony of Supervisor PHILLIPS in the First FORD Trial No. 817.)

"Cannot fix time of first trolley payment but it was short- "ly after final passage and in various denominations-- in dollar "bills up to twenty, and probably more; fifties. I think there were "twos and fives and tens but don't know how many ones or twos there "were." (515,6) "Cannot fix date of second trolley payment but it "was some time after first; don't know the denominations; I figure "it as about the same, various denominations. Q. Were there any of "those small bills. A. That I don't know, I really don't know "whether the first payment was made in small bills, or whether the







"last payment was small bills. I know there was one package that was in small bills; at least one payment made in small bills but I have no way of fixing in my mind which one it was." (516)

(Testimony of Supervisor PHILLIPS in the Second FORD Trial No. 823.)

"I received money from Gallagher subsequent to the final payment; I should judge it was along late in July and then he gave me 2,000 in currency and I think they were mostly small denominations, five dollar bills; not all five dollar bills, various; I could not tell you; they were mostly five dollar bills; the others that were not fives were tens, twenties, I don't think there were any smaller than fives. MR. HENEY: Q. Didn't you testify upon the former trial of this case as follows: 'What were they? A. Well from dollar bills up to twenties and probably more; fifties'? A. Well, that may have been true. I was not certain as to the payments, there may have been dollar bills, there may have been two dollar bills. Q. Well were they? A. If I testified to that it is true. They were mostly five dollar bills." (94-97) "Second payment I think about a month after first payment, and it was of various denominations, there were bills ranging from verysmall bills to fifty dollar bills, twos, fives, tens and twenties. Q. Did both these payments have small bills in them? A. No, my best recollection, I think they were of various denominations. I think I complained again at the time of the second payment." (101,2)

(Testimony of Supervisor PHILLIPS in the Third FORD Trial No. 812.)

"The demoninations of the bills of the first payment were that the most of them were \$5; the most of them were \$5, \$10; there were some smaller and some larger bills, according to my best recollections; the majority of them were 5's and \$10's; and there were some larger; I believe there were ones and twos in the first payment." (469) "The first payment was in small denominations and the second was in large denominations." (474) "I cannot say the money in the first payment, and the denominations were various, mostly fives and tens, some ones and twos, probably a few larger bills." (458,9) "The denominations of the bills in the second payment to the best of my recollection were all large, tens, twenties, and larger bills. They were large bills. I did not receive any ones or twos in the second payment." (459-61)

(Testimony of Supervisor PHILLIPS at the CALHOUN Trial No. 1436.)

"The first payment was mostly fives, tens, I think some twenties, and some smaller, that is ones and twos; mostly fives." (1530,1) "The second payment was in twenties and fifties, mostly fifties." (1531,2) "The first payment was a much larger package than the second, so I take it that it was small bills; mostly fives, a few tens and twenties and probably some ones and two's." (1535) "At the second Ford trial I had been working hard and had forgotten the denominations." (1555,6)

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(14) WILSON:

(Testimony of Supervisor WALSH in the First FORD Trial No. 817)

"The denominations of the bills in the first payment were five, ten and 20 dollars. Q. Not over \$20? A. The first payment? Q. Yes? A. Yes, the first payment; 100 dollar bills. Q. Well, now, what is that? A. Mostly large money in the first payment." "I could not say what was in the second payment." (495,6)

(Testimony of Supervisor WALSH in the Second FORD Trial No. 823)

"I received \$2,000 from Gallagher in United States currency of the denominations of about fives, tens and twenties. Q. Repeat that; let us hear it? A. Somewhere along-- Q. (Intg) Talk up louder. A. Fives and twenties. Q. Any other? A. I ain't positive sure now, I could not exactly say, I think it might have been in large numbers, some very large bills; I could not say positively sure. Q. Were there any less than fives? A. No sir, I don't remember that." (155) I received another \$2,000 from Gallagher after the first 2,000. Q. What denomination bills, was that (second payment)? A. Small bills, fives, tens, twenties. Q. Both payments were small bills? A. I think one was large bills. Q. How large? A. The first payment? Q. Which ever payment was in large bills, how large were they? A. Fifty dollars, I think some of them were \$50. Q. What else? A. I could not say whether there were any \$100 bills in it or not now; I won't say for sure. I think it must have been the first payment larger than the last one because I remember the last package was in a very large envelope, there was quite--they were all small bills. Q. You remember that as being the last one, do you? A. Yes, sir, I have nothing to fix it in my memory by." (463,4)

(Testimony of Supervisor WALSH given on the Third Ford Trial No. 812.)

"The First payment was in the latter part of July, 1906, and the denominations of the first payment were fives, tens, twenties and some fifties; I think there were some fifties; fives, tens, twenties there were some fifties, I ain't positively sure whether there were some fifties or not." (368) "I think the first payment had fifties in it, but I am not sure." (369,70,72) "About four or five weeks after the first payment I received the second payment and it was in an envelope and I could not say what denominations as I didn't count them." (368,9)

(15) WILSON:

(WILSON'S Testimony at the GLADSTONE.)

"Both in small bills." See Gladstone Statement of Wilson as proved at the 2nd Ruef Trial, p. 2448)





(Wilson's Grand Jury Testimony.) "Q. What kind of money was the first payment given to you in? A. All small bills. Q. Do you remember how small they ran? A. Well, one payment was very small bills and the other was very large. The first payment was very small, as low as one and two dollars; The highest bills in the first payment were about \$20, there might have been \$50, but not many of the \$50 bills or large bills (58,9) second payment large bills; do not think any larger than \$100; I think they were all \$100 bills, pretty positive of that because I banked them." (59)

(Wilson's Testimony at the First FORD Trial, No. 817.) "After the passage of the trolley ordinance I was paid \$10,000 in two payments; I received the first payment some time about the latter part of July, 1906; and that first payment was in small bills and the denominations of it were fives, tens and twenties, probably some of them smaller than that; there were ones and twos but I have no idea how many; that first payment was an envelope probably a couple of inches thick." (593,4)

"I received the second payment about the 26th or 27th of August and that was in United States currency and was in large bills; as to what denominations, I think there were a great many fifties; there were not any denominations higher than that, there might have been but my recollection is that they were mostly fifty-dollar bills." (595)

(WILSON'S Testimony at the Third FORD Trial, No. 812.)

"That first payment of \$5,000 was in small bills and their denominations were ones, twos, fives, tens and I think there were a few twenties, some twenties; United States currency." (506)

"I received the second trolley payment from Gallagher between August 28th and August 30th, and it was \$5,000 and it was in large bills; their sizes were either fifties or one hundred dollar bills, they were all the same and I think they were all \$50 bills; they were either all fifties or all one hundreds; they were the same denominations; to the best of my recollection they were all \$50 bills." (506)

(WILSON'S Testimony at Second RUEF Trial.) "No one else was present at the time of the first payment in the trolley; first payment in trolley was in small bills, one two and five-dollar bills; some of them were as high as \$20 bills, very few large bills, they were mostly small, the small predominated; the bills were old bills and had been used. At the time of the first payment Gallagher said it was on the trolley matter, and that there would be \$5,000 more." (2033,4)

"Between August 28th and August 30th, 1906, I received the second \$5,000 on trolley and it was at Thompson's restaurant and no one else was present, and Gallagher then said that that was the amount that had been allotted to me on the trolley matter; this second payment to me was in large bills, either all fifties or all \$100s, gold denomination, gold certificates on the bank and in an envelope, and I deposited this second payment at the California Safe Deposit & Trust Company on the 30th of August, the entire sum." (2048-50)

"The denominations of bills in the \$5,000 trolley money which Gallagher gave me at the City Hall were ones and twos, fives and ten dollar bills, very small, old bills, there was





"nothing over ten that I recall; there may have been some  
"twenties but I don't think so. I could not say how many  
"ones or twos or fives or tens. I think there were more  
"than five hundred \$1 bills. Possibly there was a thousand  
"dollars in \$1 bills. There was possibly a couple of thousand  
"dollars in \$2 bills. The balance would be divided between  
"fives and tens or twenties. I cannot be definite about the  
"number of the different kinds of bills, but I know they were  
"small bills because I intended to pay a note and I received  
"the money after the note was payable, but the money was of  
"such small currency and old that I did not take it to the  
"bank but put it in the safe deposit box and used it up in  
"different matters. There were some money transactions going  
"on between the supervisors, Mamlock borrowed from me and  
"Furey, and I borrowed from Kelly and paid him back, and I  
"borrowed from Furey and paid him back, and it is possible  
"I used some of this money in the different transactions."  
(2309-10)

(Testimony of Supervisor WILSON at the CALHOUN Trial #1436.)

"The first trolley payment to me was in small bills,  
"ones, twos, fives, tens and I think a few twenties, but I  
"would not be positive; it was all small currency." (1953-5)  
"The second payment to me in the trolley matter was all hundred-  
"dollar bills." (1955-9)









"something coming through on the trolley. Q. You didn't know how much, then? A. Yes, sir. Q. For a certainty? A. And I would like to correct my testimony, Mr. Henny, because it is only last night that I remembered the full particulars of the conversation, and Mr. Delmas asked me if I didn't know there was \$10,000 coming through on the trolley, and I told him no, that I didn't know what the amount was, and then he read my testimony before the Grand Jury, and I said, 'Yes, I knew there was \$10,000', but the fact is of it, sometime after Mr. Gallagher was living out on the Ingleside road with his brother and I was living at San Mateo, one afternoon he drove me down to Mr. Ruef's office. He said he was going--this was long after the trolley was passed-- he was going to see how that matter of the trolley--the money--what I was going to receive, how it was going to be divided. And we got talking about some other matter when we got back in the buggy, and on some little street between Valencia and Guerrero at the depot he told me there would be \$12,000 in the trolley and I told him-- MR. ROGERS: Q. Is that after it was passed? A. Yes, sir. I told him that he could have two of it and he said he didn't want any of it and that it would be all right, that there was some money over there and that Mr. F., I understood was going--that I would get \$12,000, and then when it did come through after that it was \$10,000. MR. HENNEY: Q. When was this talk that you are speaking of? A. That was out-- C. When was it, I say? A. After --some time previous to the distribution of the money. He thought it would be \$12,000, and then I told him he could keep two of it. He said when they were figuring that there would be about that in it for me. When it came through he said it did not just turn out that way, that there was just \$10,000. I do not question that I did give these answers at the first Ford trial and I want to explain that after on Foxton told me when I came off the stand that I was crazy, and Burke told me the same; Doctor Dray told me not to be a witness, etc. I recall now that Valencia street matter was long after its passage to print. Rogers said at that first Ford trial, 'What are we getting here', and Henny said, 'I don't know what all this is.' 'I am not asking for it,' Dray said 'he was going to call on Henny and Spreckels, but I did not let him call on Spreckels (2013-19). I am testifying under an immunity contract, but I don't know what the understanding is as to whether it is still in force and effect. I am under indictment at the present time under three charges, and am on bonds of \$2,000, but I don't know what the status of my immunity contract or of those indictments is. I have no understanding whether these indictments are going to be dismissed; if what I said regarding the first Ford trial is true. I should think these indictments would not be enforced, and if it is not true that they would be enforced. I have hope that these indictments are going to be dismissed. I was indicted on October 2d, which the first Ford trial was still going on; I testified in the first Ford trial on September 26th and was indicted a week after that. I have never been arraigned on any of those indictments, or called upon to plead. They stand continued to some future date, (2028-36). About a week after that testimony in the first Ford case I was indicted (2041). It is not the fact that I was indicted I asked Gallagher to fix it for me with the prosecution, but I told him before I was indicted regarding my position and I told the District Attorney's office the next morning. I explained



"all the conditions to Gallagher and that I wanted him to put that phase and to get me the opportunity if he could with the prosecution, and I probably did so after I was indicted, and Gallagher reported that he couldn't get any line on what they were going to do in the matter, and I did speak to Gallagher about going away before the third Ford trial and he said I had better wait that they might call me as a witness. I did take a trip to Los Angeles right after I was indicted (2041-4). I had a talk with Gallagher prior to my being called as a witness in the third Ford trial in April, 1908, and before that third Ford trial I possibly told Gallagher I was thinking about going away, and I think right at the time he said I had better stay here and if called as a witness go on and testify and then I was called as a witness in the third Ford trial and gave my testimony (2044,5). About the time I was witness in the first Ford trial, Mr. Burns and Mr. Spreckels were in the hall, and I think it was Mr. Spreckels or Mr. Burns that asked me what was the matter, but I didn't enter into any conversation with him. I think I told Mr. Spreckels that I wasn't feeling well, but that was all, I think (2054). These indictments were returned against me in October, 1907 (2048,6). My present understanding as to why I was indicted by the prosecution after I testified in the Ford case was because I contradicted my testimony, that was all (2074). I am telling the truth in these matters, and the testimony in the Ford trial was the result of my condition" (2076).

(Honey Swings the Lash:)

"..... Railroad Commissioner Wilson, who shows his friendship by making a speech on the stand telling all that Mr. Rogers wanted him to say, would break it a second time in the middle by saying he never made the offer to Lonergan. . Then you find the Wilsons, even with the fact that the immunity contract may be set aside staring them in the face, going on the witness stand and trying by all in their power to aid the defendant." (Honey's Closing Argument, First Ford Trial, #817, pp. 1276-8.)

(Wilson Held Office Until About to be Impeached:)

"I held my office until the Governor called a special session for my impeachment and I think that was six or seven months after my confessions had been published in the newspapers (Wilson, First Ruef trial, #840, Morning Session, Thursday May 14, 1908, pp. 22, 3). I put my resignation in as railroad commissioner the day the Legislature was to meet". (Wilson, First Ruef trial, #840, Afternoon Session Friday May 15, 1908, p. 4).

THE FIRST OF THESE QUESTIONS IS WHETHER THE CONSTITUTIONAL  
PRINCIPLES OF THE UNITED STATES ARE SUCH AS TO PERMIT  
THE FEDERAL GOVERNMENT TO INTERFERE WITH THE  
INTERNAL AFFAIRS OF THE STATES. THE ANSWER TO  
THIS QUESTION IS, OF COURSE, IN THE AFFIRMATIVE.  
THE SECOND QUESTION IS WHETHER THE FEDERAL GOVERNMENT  
IS AUTHORIZED TO INTERFERE WITH THE INTERNAL  
AFFAIRS OF THE STATES IN THE MANNER  
PROPOSED BY THE BILL. THE ANSWER TO  
THIS QUESTION IS, OF COURSE, IN THE NEGATIVE.  
THE THIRD QUESTION IS WHETHER THE  
FEDERAL GOVERNMENT IS AUTHORIZED TO  
INTERFERE WITH THE INTERNAL AFFAIRS  
OF THE STATES IN THE MANNER  
PROPOSED BY THE BILL. THE ANSWER TO  
THIS QUESTION IS, OF COURSE, IN THE NEGATIVE.

THE FOURTH QUESTION IS WHETHER  
THE FEDERAL GOVERNMENT IS AUTHORIZED  
TO INTERFERE WITH THE INTERNAL  
AFFAIRS OF THE STATES IN THE  
MANNER PROPOSED BY THE BILL.  
THE ANSWER TO THIS QUESTION IS,  
OF COURSE, IN THE NEGATIVE.

THE FIFTH QUESTION IS WHETHER  
THE FEDERAL GOVERNMENT IS AUTHORIZED  
TO INTERFERE WITH THE INTERNAL  
AFFAIRS OF THE STATES IN THE  
MANNER PROPOSED BY THE BILL.  
THE ANSWER TO THIS QUESTION IS,  
OF COURSE, IN THE NEGATIVE.









REPORT ADVISE THAT THE INVESTIGATOR'S CONTRACT  
OF IMMUNITY IS INVALID:

(Testimony of Supervisor Furey at the Calhoun Trial #1434)

"Am testifying under a contract of immunity, but don't know  
"anything about its legality and have not heard Mervy say it was  
"not legal, but he might have. I don't recall it in the police  
"court. (Mervy here makes the statement that in his opinion the  
"immunity contract is not legal.) I now understand that I am testi-  
"fying under a contract that is not legal, and I cannot enforce,  
"and I believe if the district attorney wishes to prosecute me he  
"can; he has not done so so far, nor has he indicted me; I suppose  
"they are the judges as to whether what I tell is the truth, and I  
"understand I could not fall back on my immunity contract, and that  
"is my state of mind at the present time (1962-4)".



RENEWING PHILLIPS' EXHIBITION OF  
WHAT HE MAY FOLLOW THE PATH OF  
DOCTRINE AND READING THE TOWNSHIP,  
IN EXHIBITION HIS INTERVIEW:

(Testimony of Supervisor Phillips at the Calhoun Trial, #1436):  
 "It is true that Henev did accuse me in the second Ford trial  
 "when I left the stand with not telling the truth and that appear-  
 "ances deceitful (1'24,8). Within a week or two or three after I  
 "had given Coffey the statement from Burns that I have spoken about,  
 "this happened as I was leaving the stand in the evening: 'Well,  
 "you have told us that a great many times; what I am asking you now  
 "is were there any dollar bills?' A. I am not reluctant to testify  
 "here; I am endeavoring to do the best I can. Q. Well, appearances  
 "are very deceitful.' And that night I went to see Henev and the  
 "next morning I came back and testified and during the interval  
 "between the time that Henev said this to me and the time I came  
 "back I saw G. and he gave me a copy of my testimony, and told me  
 "to read it over. He did not walk down the street with me and  
 "lecture me, but he talked to me. I had rebuked him for not giving  
 "me the testimony I understood I should have had and Gallagher gave  
 "it to me to read over and refresh my memory, the Grand Jury testi-  
 "mony, and that was all. Possibly also he gave me the first Ford  
 "trial testimony--I do not know whether it was the Grand Jury or the  
 "first Ford and it may have been both; I don't know why Gallagher  
 "took it upon himself to do that, but I was not surprised by it.  
 "Before G. walked down the street with me and gave me my testimony  
 "and told me to read over, Henev had inquired of concerning the  
 "conversation with G. about money in the trolley matter and I had  
 "answered it." (1'26-8).

# MEMORANDUM

TO : THE SECRETARY OF THE ARMY  
FROM : THE SECRETARY OF THE ARMY  
SUBJECT: [Illegible text]  
[The remainder of the memorandum text is illegible due to extreme fading.]



(1)

HONORABLE NICHOLAS WILL IS HERE BY  
AN IMMUNITY CONTRACT WHICH IS EXHIBIT  
IN HIS IMMUNITY CONTRACT AND WHICH IS  
CONTAINED FROM TIME TO TIME, AND NOT  
CONTINUED UNTIL THE JUDGE IS ORDERED  
OUT OF OFFICE.

(Testimony of Supervisor Nicholas at the Calhoun Trial,  
#1430):

"I believe now that I will not be prosecuted for any offence  
which I have committed while a member of the board, if I testify  
to what the prosecution believes is the truth (1431). I am under  
indictment at the present time for receiving a bribe in connect-  
ion with the furniture company of Helms & Company. I am charged  
in the indictment with agreeing to accept a bribe. That case is  
still in court, but is continued from time to time. I have been  
in court a couple of times on that indictment since this case com-  
menced, and it was continued a day or two ago for four weeks.  
It has been continued since about two years ago, I guess (1432, 30).  
I was indicted in November 1906, very shortly after the Grand Jury  
met and I think it was in April that I got immunity. I could not  
answer why that has not been dismissed, and I could not answer if  
it is being held over my head. I have been expecting that it will  
be dismissed eventually. I have understood that I was not going  
to be tried, and was going to be allowed to go free on that indict-  
ment since the immunity contract, which was in the month of April,  
1907. I have been appearing in court from time to time on this  
indictment that I understand I will never be prosecuted on. I did  
not go near the district attorney and ask him why he was making me  
come back and forth when he was not going to prosecute me (1433-34).

(Dismissal of Nicholas' Indictment ):

"In the Superior Court of the State of California in and for  
the City and County of San Francisco.

Department No. 11.

HONORABLE WILLIAM P. LAYLOR

JUDGE.

THE PEOPLE OF THE STATE OF CALIFORNIA

vs.

NO. 312.

F. P. NICHOLAS,

DEFENDANT.

DECEMBER 12TH, 1909.

-----X-----

THE COURT. The People of the State of California vs.

"F. P. Nicholas, No. 312, on the calendar for trial.

MR. LAYLOR. In that case, if the Court please, I desire  
at this time to make a motion. F. P. Nicholas was indicted some  
two and a half years or more ago, and since that time he has  
confessed to all the crimes and offenses charged against him and  
has done what he could to repair the wrong he has done by tes-  
tifying for the State whenever he has been called upon to do so

# THE HISTORY OF THE CITY OF BOSTON

FROM THE FIRST SETTLEMENT IN 1630 TO THE PRESENT TIME  
BY  
JOSEPH NEALE  
OF THE BOSTON BAR  
IN TWO VOLUMES  
VOL. I.  
BOSTON: PUBLISHED BY J. NEALE, 1857.

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CITY OF BOSTON  
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"and has testified as we believe fully and truthfully on all matters pertaining to all transactions in which he was involved; and in view of that fact and in the furtherance of justice we desire at this time to move that this indictment against him be dismissed under Section 1327 of the Penal Code. The witnesses in that case, in addition to what I have stated before, are not available; and I do not know where they could be found if wanted. For the reasons heretofore stated I would ask that this case be dismissed upon the motion of the District Attorney."

"THE COURT. Has this case been connected with any of the charges which have been prosecuted in this department, referring to the so-called graft cases?"

"MR. LANGDON. It is one of the so-called graft cases insofar as it grew out of matters pertaining to his duty as a member of the Board of Supervisors."

"THE COURT. It is not connected with any of those charges that have been pressed against other people?"

"MR. LANGDON. No, your Honor."

"THE COURT. What is the nature of the pending charge?"

"MR. LANGDON. The indictment charges the defendant with accepting a bribe I think, of \$25. or tier sabouts, on a furniture deal, when he was a member of the Board of Supervisors. It is alleged in the indictment I believe that while a member of the Board of Supervisors he accepted a bribe of \$25.00, or agreed to accept a bribe of \$25.00."

"THE COURT. And this is the charge that is referred to when the defendant was examined as a witness in the charges against other persons as having been made the subject of an arrangement between the District Attorney and him at the time he became a witness for the State upon those other independent matters?"

"MR. LANGDON. Yes, your Honor, at the time he agreed to give testimony for the State the District Attorney agreed with him that insofar as it was possible for him to do he would not hold this charge against him and that was a part of the understanding that induced F. F. Nicholas to testify for the State in these other graft cases."

"THE COURT. You state to the Court at this time that you believe F. F. Nicholas has faithfully testified?"

"MR. LANGDON. Yes, your Honor, he has at all times been there and his testimony we believe has been given truthfully and fully and without reserve upon his part. He has always been free and willing; he has not been an unwilling witness in these court proceedings, and we feel that the interests of justice would be served at this time by dismissing this indictment."

"THE COURT. Section 1327 provides: 'The Court may, either of its own motion or upon the application of the District Attorney, and in the furtherance of justice, order an action or indictment to be dismissed. The reasons of the dismissal must be set forth in an order entered upon the minutes.'"

"The defendant is present?"

"MR. DIBBLE. He is, your Honor."

"THE COURT. Represented by counsel?"

"MR. DIBBLE. Yes, your Honor."





"THE COURT. Upon the application of the District Attorney  
"and in pursuance of Section 1385 of the Penal Code, and in the  
"furtherance of Justice, it is ordered that the indictment herein  
"be and the same is hereby dismissed. In connection with the fore-  
"going order let it appear that the District Attorney stated that  
"when the defendant agreed to become a witness for the state in  
"respect to his acts while a member of the Board of Supervisors,  
"that the District Attorney stated to the defendant that he would  
"exert his efforts if the defendant proved a faithful witness for  
"the State, to have the pending charge dismissed; and on the further  
"statement of the District Attorney that he believes the defendant  
"has at all times acted faithfully as a witness on behalf of the  
"State in respect to matters about which he has been examined before  
"the Grand Jury, as well as these matters wherein he appeared as a  
"witness upon the trial of the general issue, it is further ordered  
"that the foregoing reasons appear in connection with the order.

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"I hereby certify that the foregoing is a full, true and  
"correct transcript of the proceedings had in the above entitled  
"case on Dec. 13, 1909.

Platt B. Elderkln,  
Official Reporter."





(DISMISSAL OF WILSON INDICTMENTS)

"In the Superior Court of the State of California, in and for the City and County of San Francisco.

Dept. No. 6.

Hon. Frank H. Dunne, Judge.

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The People of the State of California,

vs.

A. M. WILSON.

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Saturday, December 4, 1903.

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The Court. The People against A. M. Wilson.

Mr. Heney. In cases 1081, 1082 and 1083 I desire if the Court please on behalf of the District Attorney's office to move to dismiss those cases under Section 1385 of the Penal Code, and the reason is that Mr. A. M. Wilson since he was indicted appeared as a witness on behalf of the People in the case of the People against Ruef, and testified fully, freely and honestly, and also testified in the case of the People against Patrick Calhoun, and we think in the interest of justice those cases should be dismissed.

The Court. On motion of the District Attorney the cases are dismissed. The same order in all these cases?

Mr. Heney. Yes, in all three cases your Honor.

The Court. And this motion is granted because I have the fullest confidence in the District Attorney's office, and whenever I feel the District Attorney is acting in good faith and that he is assisting the administration of Justice, why under those circumstances, and I have confidence in the District Attorney, I have no hesitation in granting a motion of this kind. And where I have not confidence in the District Attorney I want it understood that I will have no hesitation in denying a motion of this kind. So I don't want any one to carry away the impression that the action of the Court in this case is to be taken as a precedent in any future case.

Mr. Heney. My action is based largely, if your Honor please upon the decision of the Supreme Court to the effect that he is considered as having gained a pardon even where no pardon has been granted. And we feel that it is our duty to make this motion because we feel that Mr. Wilson has testified honestly, fully and freely."

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## CHAPTER V.

### RUEF

HIS GRAND JURY EXONERATION OF DEFENDANTS;  
HIS " " TESTIMONY THAT HE NEVER TOLD  
A LIVING SOUL BUT GALLAGHER;  
HIS RELATION WITH THE PROSECUTION;  
HELD AS THEIR PRIVATE PRISONER;  
PREVENTED FROM COMMUNICATING WITH ANYONE  
BUT THE PROSECUTION;  
HOW THEY WROUGHT HIS CONVERSION TO THEIR CAUSE;  
FULL AND ABSOLUTE IMMUNITY AGREED UPON;  
THE IMMUNITY CONTRACT;  
ITS EXISTENCE DENIED TO JURIES AND THE PUBLIC;  
THE MOCK PLEA OF "GUILTY" IN THE FRENCH  
RESTAURANT CASE.









## CHAPTER V.

### R U E N.

HIS BRAVE DEED EXONERATION OF DEFENDANTS;  
HIS " " TESTIMONY THAT HE NEVER TOLD  
A LIVING SOUL BOY GALLAGHER;  
HIS KNOWLEDGE WITH THE PROSECUTION;  
HOLD AS THEIR PRIVATE PRISONER;  
PREVENTED FROM COMMUNICATING WITH ANYONE BUT  
THE PROSECUTION;  
NOW THEY BROUGHT HIS CONVERSION TO THEIR CAUSE;  
FULL AND COMPLETE INNOCENCE AGREED UPON;  
THE INNOCENT CONFESSION;  
ITS EXISTENCE DENIED TO JURIES AND THE PUBLIC;  
THE MOCK PLEA OF "GUILTY" IN THE PRISON RESTAUR-  
ANT CASE.



INDEX OF LEADING ITEMS.

- (a) PRELIMINARY AS HUNG BEFORE THE GRAND JURY ON MAY 17, 1907:  
HUNG: WERE FROM THE THEORY WAS TO BE PAID TO HUNG;  
VILSON:

"I NEVER WOULD ANY LIVING BEING THAT I WAS UNWILLING  
ON ACCEPTING MONEY OR ANY PROPOSITION TO BE GIVEN  
SUPERVISORS REGARD MR. GILLAGHAN;"

- (b) AFFIDAVIT OF ARRABAS RUFF, FILLED ON MARCH 1, 1908, IN THE  
CASE OF "THE PEOPLE, etc., vs. ARRABAS RUFF," No. 308,  
AND WHICH AFFIDAVIT WAS SIGNED ON MARCH 4, 1908;  
CHARGED RUFF TO "GUILTY" ON MAY 16, 1907, IN ACTION  
No. 308 ON EXPRESS PRISON AGREEMENT WITH LANGDON,  
HENRY AND RUFFS THAT IT SHOULD BE LATER WITHDRAWN  
AND CASE DISMISSED;  
SUCH AGREEMENT FIRST MADE BY LANGDON, HENRY, RUFFS  
AND UNKNOWN TO THE REV. JAMES AND REV. J. S. KAPLAN;  
RUDOLPH SPENCER'S FINANCIAL BACKER OF PROSECUTION  
AND FINANCY CONTROLS ON INFLUENCE ACTIVE PROSECUTION;  
RUFF AND KAPLAN FIRST ANNOUNCE SAID AGREEMENT TO  
RUFF, BUT LANGDON AND HENRY SUBSEQUENTLY JOINED IT;  
RUFF INSISTS THAT JAMES RUFFS AGREE TO ARRANGEMENT;  
LANGDON, RUFFS AND HENRY AFTER THEIR GUARANTEE OF RUFFS,  
BUT RUFFS DEMANDS DUNN'S PERSONAL ASSURANCE;  
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DIRECTLY AND THROUGH HIS FAMILY;  
RUFFS CALLS IN KAPLAN AND THEY BOTH JOIN WITH THE  
PROSECUTION DIRECTLY AND THROUGH HIS FAMILY;  
THEY GUARANTEE HIS COMPLETE IMMUNITY;  
IN MARCH, 1907, GILLAGHAN AND VILSON BROUGHT RUFFS A  
PROPOSITION OF COMPLETE IMMUNITY FROM UNKNOWN  
LANGDON, RUFFS AND HENRY WITH A SUGGESTION THAT  
"HE STRIKE IT A LITTLE;"  
A MATTER OF LIFE AND DEATH WITH HIS FAMILY, SO RUFFS  
CONSIDERS PROPOSITION AND FINALLY AGREES INTO  
THE AGREEMENT TO PLEAD "GUILTY;"  
HENRY RUFFS RUFFS WITH THREAT TO MAKE THEM WITH  
SOMETHING AND OTHER PERSONS WHO, HE SAID, HAD  
AGREED, FOR IMMUNITY, TO THREE PLACES AS RUFFS;  
RUFFS FILLED ON MARCH 4, 1908, AND DESCRIPTION OF RUFFS;  
ALL FACT AND EVIDENCE INVESTIGATED TO BE DISMISSED;  
RUFFS AGREE RUFFS THAT RUFFS AND LIVING HAD AGREE TO  
STAY IN;  
RUFFS, THE RUFFS, KNOWS THE FACTS; HE HAD AND  
HELPED;  
IN RUFFS'S CUSTODY FROM MARCH, 1907, to JAN. 8, 1908  
AND RUFFS BY HIM AT LATER ST. FRANCIS HOTEL AND  
AT NO. 2849 VILLAGE STREET AND AT NO. 2829  
VILLAGE STREET;  
RUFFS HAD INFORMATION BY RUFFS; NO ONE COULD SEE HIM  
WITHOUT RUFFS' CONSENT;





A WRITING ON BULLOCK ALWAYS ACCUSED HIM; NO PRIVACY FOR  
HIM; BULLOCK'S ATTORNEYS AND PORTNEY WERE AS  
ONE INDIVIDUAL; ALSO BULLOCK AND PORTNEY  
WAS A CHARACTER THAT HE WOULD ENTER HE WENT TO  
A POWELL PRISON;  
A WRITING AGREEMENT BETWEEN 1900 AND 1901, BULLOCK  
ON ALL PART AND BULLOCK INDICATED SIGNED ON  
MAY 2, 1907;  
MAY 16, 1907, BULLOCK SIGNED HIS FILE OF "BULLOCK";  
CASE NO. 805 OMITTED FROM THE WRITING AGREEMENT AS A  
WITNESS, AND TO PREVENT THE FACT OF THIS INDIVIDUAL  
FROM COMING OUT ON THE TRIAL OF BULLOCK;  
BULLOCK TOLD TO PORTNEY THAT HE HAD NO OTHER WITNESSES  
OF WRITING CONTRACT OF INDIVIDUAL;  
PROSECUTION GUARANTEED BULLOCK THAT BULLOCK COULD AND  
WOULD CONTROL THE GRAND JURY AS TO BULLOCK INDICAT-  
IONS ALL THE TIME;  
BULLOCK ON MAY 2, 1907, FIFTY-FIVE INDIVIDUALS WERE  
ARRESTED BULLOCK; SUBSEQUENTLY FIFTY-ONE;  
BULLOCK AND BULLOCK PLACED AS PART OF THE COORDINATION;  
BULLOCK, BULLOCK AND BULLOCK ASSURE BULLOCK THAT THE PRE-  
SENTATION WOULD BE TO SIGN ALL CASES TO BULLOCK  
TWO, AND BULLOCK TO UNDERSTAND IS ONE OF THE GRAND  
JURY MEMBERS;  
THE WRITING CONTRACT WITH BULLOCK ON APRIL 18, 1907;  
BULLOCK ASSURES BULLOCK GRAND JURY PURSUANT TO INDIVIDUAL  
CONTRACT;  
BULLOCK BEFORE GRAND JURY ABOUT TWELVE HOURS;  
BULLOCK, BULLOCK AND BULLOCK TELL BULLOCK THAT THE WRITING  
CONTRACT IS ONE MOST IMPORTANT MATTER OF ALL;  
GRAND JURY MEMBERS AFTER BULLOCK BULLOCK BULLOCK  
BULLOCK INVESTIGATION AT INSTANCES OF BULLOCK, TWO TELL  
BULLOCK HE DID NOT WANT U.S. OFFICIALS TO KNOW  
WHAT HIS TESTIMONY WOULD BE;  
BULLOCK WENT TO BULLOCK;  
MAY 14, 1907, BULLOCK INVESTIGATION AGAINST U.S. OF-  
FICIALS;  
BULLOCK TO FIRST BULLOCK TRIAL BULLOCK INTERVIEWED BULLOCK; BULLOCK  
BULLOCK AND BULLOCK IN BULLOCK ADVISORIAL AT TRIAL;  
BULLOCK AND BULLOCK TO BULLOCK AND BULLOCK OF THE  
WRITING CONTRACT;  
BULLOCK BULLOCK PURSUANT OF BULLOCK AGAINST BULLOCK AND BULLOCK;  
NOT BULLOCKED FOR BULLOCK TRIAL OF BULLOCK; BULLOCK HE WAS TO  
BE CALLED FOR TRIAL OF BULLOCK; BULLOCK TELL HIS THAT  
BULLOCK'S IS THE MAIN CASE IN WHICH COVETOUS  
WANTED;  
BULLOCK LIKE TO BULLOCK BULLOCK BULLOCK ABOUT BULLOCK'S INDIVIDUAL;  
WHEN BULLOCK TRIAL BULLOCKED BULLOCK AND BULLOCK  
ON BULLOCK TO AND BULLOCK TO HIS INDIVIDUAL;  
BULLOCK BULLOCK AT CARRYING OUT HIS AGREEMENT, BULLOCK TO  
BULLOCK HIM TO IS, BULLOCK BULLOCK TO BULLOCK; BULLOCK  
BULLOCK AND BULLOCK;  
ON JAN. 18, 1908, BULLOCK BULLOCKED BULLOCK AGREEMENT;  
BULLOCK TO GET BULLOCK TO BULLOCK AND BULLOCK BULLOCK  
BULLOCK THAT HIS TESTIMONY MAY BULLOCK HIM;  
BULLOCK BULLOCKED BULLOCK BULLOCK BULLOCK FOR BULLOCKING;  
BULLOCKED OF BULLOCK'S BULLOCK IN NO. 805;  
BULLOCK, BULLOCK, AND BULLOCK;









SURVIVAL OF HUNG INDEMNITY CONTRACT BACK TO HUNG AND WILSON AFTER THE LATTER'S ENTRY FROM RUSSIA IN AUGUST, 1907;

- (e) AFFIDAVIT OF HARRY KAPLAN FILED AT WASH DC, 1906, IN WHICH, "THOMAS, etc., v. BALLARD, KILLPATRICK, BOON, ARNETT, WEST AND HODGKINS,"

VISITED BY ORINAL SWALLOW;

WILSON BELIEVED HIM;

CONFERENCED WITH HUNG, JOINED HIM IN STRIKING CONTRACT IN A PRIVATE HOUSE, DISGUISED BY PLASTER;

INTERVIEWED WITH KAPLAN AND FINEY;

HUNG OFFERED;

AUTHORIZED BY PROSECUTION TO OBTAIN HUNG COMPLETE

INDIGNITY AND TO TELL HIM THAT SWIFTER AND

POWELL SHOULD GET WILSON READY TO MAKE OVER AND

THROW HIM DOWN;

IN THIS HOUSE WILSON OFFERED IN FRENCH RESTAURANT

CASE;

HUNG ASKED PROSECUTION DIRECT WITH HUNG AND PROVIDED

HIS REHABILITATION;

FORMAL CONFERENCE AND FULL DISCUSSION OF THE INDIGNITY

AND THE WAY AND MEANS OF PUTTING IT THROUGH;

HUNG AND LAWSON TO BE MADE ACCUSED;

WILSON ATTEMPTED TO BE GIVEN HUNG;

ARRANGE FOR WILSON'S MEETING WITH HUNG AND LAWSON;

THE WILSON MEETING;

HUNG BELIEVED AND WILSON THE PROSECUTION AND THE HUNG

AND WILSON ARE ALREADY;

HUNG WILSON TO PROSECUTE;

APPROVE FOR HUNG WILSON OF "GUILTY" IN FRENCH RESTAURANT

CASE;

WILSON CONTRACT OF INDIGNITY DRAFTED AND SIGNED, DIS-

POSITED WITH HUNG AND KAPLAN; WILSON FIRST FOR-

WARDED FROM HUNG TO HUNG KAPLAN'S PLACE AS

JOHN SWIFTER;

PROSECUTION BELIEVED SATISFACTION WITH HUNG'S CASE-

POWELL TESTIMONY AND HIS SCHWITZ CASE TESTIMONY;

HUNG SAID HE WAS SAYING HUNG THE CARROLL CASE;

WILSON REQUESTS THAT HUNG IS NO POOL AND WILL TELL

ALL THAT IS KNOWN OF HIM IN CARROLL CASE;

WILSON HUNG'S WILSON AT A TIME OVER HIS HEAD;

- (f) TESTIMONY OF WILSON WILSON AT THE HUNG HUNG TRIAL, 1911;

BALLARD AND WILSON TO DO AS FRANKIE WILSON

TO MAKE PROSECUTION OF INDIGNITY TO HUNG

AT INSTANCE OF THE PROSECUTION;

- (g) HUNG WILSON DISAPPROVED THE FACT ABOUT HUNG'S IN-

DEMNITY IN THE POLITICAL SCAVENGE OF 1907, AND TO THE

FACT IN HUNG HUNG TRIAL;

- (h) PROSECUTION OFFICIALS FINALLY AGREEMENT WITH HUNG, AND

THE CAT IS OUT OF THE BAG;

- (i) PROSECUTION MAINTAINED THAT HUNG AUTHORIZED HUNG, HUNG

AUTHORIZED BALLARD, BALLARD AUTHORIZED WILSON, AND

WILSON AUTHORIZED LAWSON;





(a) TESTIMONY OF ABRAHAM RUEF before the Grand Jury on May 17, 1907:

NEVER TOLD THEM THE MONEY WAS TO BE PAID TO SUPERVISORS;  
"I NEVER TOLD ANY LIVING BEING THAT I WAS RECEIVING OR  
ACCEPTING MONEY ON ANY PROPOSITION TO BE GIVEN SUPER-  
VISORS, EXCEPT MR. GALLAGHER."

(Testimony of Abraham Ruef before the Grand Jury on May 17, 1907:)

"I received a fee for attorney's services of \$1,000 per month for two or three months prior to that and then finding it, as I explained, necessary to request or suggest an additional fee, which I thought would be covered by the payment of \$20,000, I suggested that to Mr. Drum. I wish to say also, in justice to him, I never told him it was to be paid to these men.

"Q. That isn't the way of doing that kind of business, is it?

"A. I don't know what the way of doing that kind of business is  
except as far as it has concerned myself. I never told any liv-  
ing being that I was receiving or accepting money on any propo-  
sition to be given supervisors, except Mr. Gallagher." (G.J., pp. 151, 2)



(b) ARRIVAL OF ARTHUR RUFF, filed on March 1, 1908 in the  
Case of "THE PEOPLE, vs. ARTHUR RUFF", No. 306, and  
which Affidavit Was sworn to on March 6, 1908:

CHANGED PLEA TO "GUILTY" ON MAY 10, 1907, IN AFTERNOON 3:00,  
ON EXHIBIT PRISON AGREEMENT WITH JACOBSON, NEWLY AS-  
SIGNED THAT IT SHOULD BE LATER WITHDRAWN AND CASE DIS-  
MISSED;  
SUCH AGREEMENT FIRST MADE BY JACOBSON, NEWBY, POLICE AND  
SPRINGFIELD WITH NEWBY JACOB WINTO AND JOSEPH E. FAYLOR,  
JUDICIAL SPRINGFIELD FINANCIAL BACKER OF PROMOTION AND  
THEROBY CONTROLS ON EXHIBIT PRISON AGREEMENT;  
WINTO AND FAYLOR FIRST ANNOUNCE SAID AGREEMENT TO NEWBY  
BUT JACOBSON AND NEWBY SUBSEQUENTLY DENY IT;  
NEWBY INSISTS THAT JUDGE DUNNE AGREE TO ARRANGEMENT; JACOB-  
SON, NEWBY AND NEWBY OFFER THEIR GUARANTEE OF DUNNE,  
BUT NEWBY DEMANDING DUNNE'S PERSONAL ASSURANCE;  
THE WINTOY PASSING WITH JUDGE DUNNE ON APRIL 29, 1907;  
RABBI WINTO PROCURED BY PROMOTION TO FORM ON NEWBY DIRECT-  
LY AND THROUGH HIS FAMILY;  
WINTO CALLED IN FAYLOR AND THEY BOTH WORK UPON THE DEFENDANT  
DIRECTLY AND THROUGH HIS FAMILY;  
THEY GUARANTEE HIM COMPLETE IMMUNITY;  
IN MARCH, 1907, GALLAGHER AND WILSON BROUGHT NEWBY A PROPOSI-  
TION OF COMPLETE IMMUNITY FROM SPRINGFIELD, JACOBSON,  
NEWBY AND NEWBY WITH A SUGGESTION THAT "WE STRETCH IT  
"A LITTLE,"  
A MATTER OF LIFE AND DEATH WITH HIS FAMILY, SO NEWBY CONSID-  
ERS PROPOSITION AND FINALLY ENTERS INTO THE ARRANGEMENT  
TO PLEAD "GUILTY,"  
NEWBY RUNNER WITH INSURE TO MATCH TRICK WITH SCHWITZ  
AND OTHER PERSONS FROM, HE SAID, HAD AGREED, FOR IM-  
MUNITY, SO THEY WERE ON NEWBY;  
NEWBY PLANNED TO SECURITY AND RECEPTION AND MOVED PLAIN;  
ALL PAST AND FUTURE INDICEMENTS TO BE WITHDRAWN;  
THEY ASSURE RUFF THAT DUNNE AND LAWSON HAD AGREED TO STAND  
IN;  
BLOOM, THE BLOOM, KNOW THE FACTS; HE HEARD AND HELPED;  
IN BLOOM'S CUSTODY FROM MARCH 8, 1907, TO JULY 8, 1908 AND  
FROM BY HIM AT LITTLE EL. FRANKLIN HOTEL AND AT NO. 2849  
WILLIAM STREET AND AT NO. 2849 WILLIAM STREET;  
NEWBY WERE INCOMMUNICATED BY BLOOM; NO ONE COULD SEE HIM  
WITHOUT NEWBY'S CONSENT;  
A SQUAD OF GUARDS ALWAYS AROUND HIM; NO VISITATION FOR ANY  
PURPOSE;  
NEWBY FROM THIS ANNOYANCE AND TORTURE STOOD OUT AS ONE IN-  
TENSIVE; ALSO MORE LIBERTY AND FREEDOM, AND A GUARAN-  
TEE THAT HE WOULD NEVER BE SENT TO A PUBLIC PRISON;  
A WRITTEN AGREEMENT SIGNED INTO FOR FULL IMMUNITY OF ALL  
PAST AND FUTURE INDICEMENTS, SIGNED ON MAY 8, 1907;  
MAY 16, 1907, NEWBY ENTERED HIS PLEA OF "GUILTY,"  
CASE NO. 306 CANCELED FROM THE WRITTEN AGREEMENT AS A BARGE,  
AND TO PREVENT THE FACT OF FULL IMMUNITY FROM COMING  
OUT ON THE TRIAL OF NEWBY;  
NEWBY WOULD TO TESTIFY THAT HE DID NOT KNOW WHEREABOUTS OF  
WRITTEN CONTRACT OF IMMUNITY;  
PROMOTION GUARANTEED NEWBY THAT THEY COULD AND WOULD CON-  
TROL THE GRAND JURY AS TO FUTURE INDICEMENTS AGAINST  
HIM;





PRIOR TO MAY 2, 1907, SIXTY-FIVE INDICTMENTS AGAINST  
 HURT; SUBSEQUENTLY FIFTY-ONE;  
 DUNN AND LAMSON PLEDGED AS PART OF THE COMBINATION;  
 BURNS, HENNEY AND LANGDON ASSURED HURT THAT HIS PRESIDIO  
 JUDON AGREED TO ASSIGN ALL CARRY TO TRODS TWO, AND  
 THEY TO UNDERTAKE IN ONE OF THE DRAFT AGREEMENTS;  
 THE NIGHTMARE SLEEPING WITH LAMSON ON APRIL 22, 1907;  
 HURT APPEARS BEFORE GRAND JURY PURSUANT TO IMMUNITY CON-  
 TRACT;  
 TESTIFIES BEFORE GRAND JURY ABOUT TROLLEY MATTER;  
 LANGDON, BURNS AND HENNEY TELL HURT THAT THE UNITED RAIL-  
 ROADS IS THE MOST IMPORTANT MATTER OF ALL;  
 GRAND JURY STENOGRAPHER EXCLUDED DURING UNITED RAILROADS  
 INVESTIGATION AT INSTANCES OF HENNEY, WHO TOLD AFFIANT  
 HE DID NOT WANT U.S. OFFICERS TO KNOW WHAT HIS TESTI-  
 MONY WOULD BE;  
 HURT NEVER ADVISED OF TESTIFY;  
 MAY 24TH, 1907, FORTY-ONE INDICTMENTS AGAINST U.S. OFFICIALS;  
 PRIOR TO FIRST FORD TRIAL, HENNEY INTERROGATED HURT; HUR-  
 T FORWARDED AND KEPT IN CONFINED ATTENDANCE AT TRIAL;  
 READY AND WILLING TO TESTIFY BUT NOT PUT ON THE STI-  
 MENSE STAND;  
 BURNS REMOVES FURTHER OF HURT AGAINST FORD AND CALHOUN;  
 NOT FORWARDED FOR SECOND TRIAL OF FORD; TOLD HE WAS TO BE  
 SAVED FOR TRIAL OF CALHOUN; BURNS TELLS HIM THAT CAL-  
 HOUN'S IS HIS MAIN CASE IN WHICH CONVICTION WANTED;  
 HENNEY LIES TO SECOND FORD JURY ABOUT HURT'S IMMUNITY;  
 WHEN CALHOUN TRIAL ANNOUNCED BURNS'S ARE REMOVED OF HURT TO  
 ADD FURTHER TO HIS TESTIMONY;  
 DUNN RAGES AT CARRYING OUT HIS AGREEMENT; REPORTS TO HOLD  
 HIM SO IN; INFLUENCE BROUGHT TO BEAR; AFFIDAVITS FOR  
 ORDER;  
 ON JAN. 12, 1908, LANGDON REPUDIATES IMMUNITY AGREEMENT;  
 HENNEY TO GET HURT TO TESTIFY AND TAKE CHARGE OF GET-  
 TING THAT HIS TESTIMONY MAY KILL HIM;  
 AGREEMENT REPUDIATED BECAUSE OF JURY NOT POSTPONING;  
 POSTPONEMENTS OF HURT'S SENTENCE IN NO. 308;  
 THE JUDGE, HIS CUSTODY, AND HIS BILLS;  
 FURTHER DEMANDS THROUGH MAPLAN;  
 DEMANDS FORWARDED FROM CONSIDERING WITH OR CALLING THEM IN  
 THE FIRST FORD TRIAL;  
 FALSE TESTIMONY SOUGHT AGAINST HENNEY, HARRIS AND GILBERT;  
 GRAND JURY UNDER COMPLETE DOMINATION OF PROSECUTION;  
 HURT'S IMMUNITY CONTRACT CONCEALED FROM GRAND JURY.

(Affidavit of Abraham Ruef, filed on March , 1908, in the  
 case of "The People, etc., vs. Abraham Ruef," No. 308, which  
 said affidavit was sworn to on the 6th day of March, A.D.  
 1908: )

"On May 15, 1907 I withdrew my plea of not guilty  
"herein and entered a plea of guilty... I entered this plea...  
"on a direct and express prior agreement then existing and made  
"with the District Attorney of San Francisco, William H. Langdon,  
"with Francis J. Heney, assistant District Attorney, and with  
"W. J. Burns, the special agent and representative of the District  
"Attorney and upon their promise and statement that such plea  
"of guilty should thereafter be withdrawn, and a plea of not  
"guilty entered, and the case dismissed.

and the world's promise and mission are first and foremost



"The said agreement, promise and statement....were first made by William H. Langdon, District Attorney; Francis J. Heney, Assistant District Attorney; William J. Burns and Rudolph Spreckels, with Rev. Jacob Nieto and Rev. E. M. Kaplan.

"Rudolph Spreckels is the financial backer and financial guarantor of the prosecution against this defendant, and through his money assistance controls or influences the district attorney, the assistant district attorney, Francis J. Heney and their special agent, William J. Burns, in the prosecution in this action and of all the other cases herein referred to.

"Said promises, agreements, understanding and statements by the said district attorney, assistant district attorney and said Spreckels and said Burns concerning the said plea herein were announced to me first by said William J. Burns and said Rev. Jacob Nieto and said Rev. E. M. Kaplan, and thereafter, and before I entered said plea of guilty, were confirmed and stated to me personally by said William H. Langdon and said Francis J. Heney.

"Prior to the entry of the plea and notwithstanding such promises, statements, and agreements, I insisted and stated that I must have some assurance and promise from the judge presiding in this court-- Department No. 6--that he would allow said plea to be withdrawn, if entered. I was assured and told by Mr. Burns, also by said Langdon and by said Heney, that they would and did guarantee that Judge Frank H. Dunne of Dept. No. 6 of the Superior Court would carry out their said promise, agreement and statement regarding such plea, but I demanded that the judge himself give this assurance and promise.

"Hereupon Mr. Burns brought out said judge, and on April 29, 1907, between 12 o'clock midnight and one o'clock in the morning, he brought Judge Frank H. Dunne of this Dept. No. 6 to the office of the secretary of Temple Israel at said temple where were awaiting him Francis J. Heney and Rev. J. Nieto and E. M. Kaplan. Mr. Heney, as assistant district attorney, stated to said Frank H. Dunne, Judge of said department, in the presence of said reverend gentlemen, in substance and effect that the prosecution was negotiating with affiant to "come through," and that affiant might enter a plea of guilty in case 205, with the understanding that such plea was to be subsequently withdrawn, a plea of not guilty substituted, and the action thereafter dismissed, and asked the judge if he would allow such plea, if so entered to be withdrawn thereafter. The said judge replied that he had the fullest confidence in the district attorney and the prosecution and that he would allow a plea of guilty if entered to be withdrawn, and a plea of not guilty substituted and the action dismissed, and further that he would do in the matter whatever the prosecution requested. The Rev. Mr. Kaplan in the presence of the other gentlemen then asked said judge as follows: "Do I understand your Honor that if this plea is entered you will allow it to be withdrawn, and the plea of not guilty substituted and the action dismissed?" To which the said judge answered, "Yes, yes, certainly."

"The said reverend gentlemen are ministers of religion and are of the same religious faith as affiant and they, and said William J. Burns, did repeat these assurances and statement of the said judge as aforesaid to this affiant immediately, to wit....



"on the same night, between one and two o'clock a.m., and did state to the affiant that the judge had given positive assurances and promises that said plea should be withdrawn, and in addition, each stated his personal honor, the ministers of religion pledged their sacred word and the sanctity of their religious and professional calling to this defendant, and Mr. Burns' his honor as a man and his life' that the said judge would keep their plighted word, without qualification, all saying to the affiant in substance and effect, we give you our sacred word as men and as ministers of religion, that the district attorney, Mr. Lunsford, will, if you enter this plea of guilty as they request, allow you hereafter to withdraw that plea and to substitute a plea of not guilty in lieu thereof, and that they will advance the case and we all give you our solemn assurances and our sacred words that Judge Burne has agreed to allow this to be done, and that he will do so."

"Relaying, as affiant did, upon the aforesaid understandings, agreements, assurances and statements... defendant thereafter entered his plea of guilty as aforesaid.

"The Revs. J. Nieto and E. M. Kaplan were not called into this case by affiant. They stated to affiant that their services had been invoked by the prosecution--by the district attorney's office..."

"The Rev. J. Nieto first called upon affiant and then upon his aged parents and his sisters, and pictured and stated to them vividly and vehemently the great dangers facing the affiant, asserting as he did that lasting disgrace and a lifetime in prison would await him on this and other charges which were to be brought against him; that there was little, if any, likelihood of his escaping conviction of the charge, even if he were innocent, as he claimed to be, in view of the control of the Press by the prosecution and the apparent readiness of certain of the legal fraternity to co-operate with them, as well as the inflamed public opinion resulting from inspired articles appearing in all the daily newspapers. He told them and he told affiant that....affiant could render a great service to the prosecution... and in addition could secure for himself complete immunity. The feelings of defendant's parents and family were so worked upon that they were all on the verge of hysteria, or actually in that condition and they begged and implored affiant to accept the advice of said Rev. Jacob Nieto...they became very ill...affiant himself became ill. Mr. Burns thereupon ordered Mr. Biggy, who was the clerk appointed by the court to assist in the custody of this affiant and to take affiant to his home with Mr. Nieto."

"This the said clerk did..., and immediately after leaving the house affiant said to Rev. Dr. Nieto that in view of the experience through which he had just passed at such interview and the other conditions existing he had decided to consider the propositions of the prosecution, if proper arrangements could be made."

"Thereupon, Mr. Nieto, with the consent of affiant called in co-operation with him, said Mr. Kaplan, and both of said gentlemen continued their and the same representation to affiant and his family.... they did state specifically to affiant that if he would enter a plea of guilty to said indictment...

"and if he would thereupon disclose his knowledge of all matter embraced in the other prosecutions as to which indictments had been returned against him by the Grand Jury, not only would





"said plea in said case be withdrawn as aforesaid and the said case entirely dismissed as hereinbefore stated, but the affiant would also secure and be granted complete immunity and the dismissal as to all the other charges which had already been brought, or which might thereafter be brought against him... Affiant also stated to the said reverend doctors that he had been offered and he was offered absolute and complete immunity long before, to-wit, early in March, 1907, by Mr. Burns, and through former supervisors Gallagher and Wilson, and that said Supervisors in said month of March 1907, brought and they did then bring affiant references from Breckels, Langdon, Burns and Henry, and on behalf of said persons offered this affiant complete immunity if he would 'come through' and that said Gallagher and Wilson had stated, and they did state, to affiant that he would be a fool if he didn't 'come through' and tell what he knew about the 'higher-ups', and save himself, even if he had to 'strain it a little'; that said 'higher-ups' were better able to fight it out with the Prosecution than affiant or themselves-- said Supervisors; but affiant declined and refused the said proposition of said Breckels, Langdon, Henry and Burns, as brought to him by said Gallagher and Wilson, and that he declined the new proposition brought to him by the said Prosecution, which was offered as one of its conditions a plea of guilty, and that the affiant intended to fight the case out rather than to enter said plea.

"The said Drs. Nieto and Carlson, and the said W. J. Burns, continued their said importunings, upon, and representations to, affiant for some time, until finally affiant announced and stated to them that it had become a matter of life and death with his family... that it was monstrous to urge him to enter a plea of guilty in a case in which evidence was at hand, and so absolutely unnecessary but that if he could save the lives of his family... he would certainly not hesitate so to do, and that he would no longer hesitate even at the disgrace and ignominy of entering a plea of guilty... These considerations and the promises and assurances given him as stated, finally prevailed upon affiant and he thereupon yielded... and thereupon entered into the agreement above stated, to plead guilty upon one only upon a distinct and unqualified agreement that said plea should be subsequently withdrawn.

"This agreement was first entered into by Francis J. Henry, William A. Langdon, Rudolph Breckels and William J. Burns on one side and Drs. Nieto and Carlson; subsequently at two or three midnight meetings, on different nights, at the home of Francis J. Henry, to which I was taken by W. J. Nieto--the said Carlson--... this agreement was confirmed to me personally by Francis J. Henry and William A. Langdon, and assurances were there given by them to me, and they said to me that Judge Frank R. Lynne of this court would maintain his part of the agreement... the Rev. Drs. and Mr. Burns informed me that they had been unable to persuade Langdon and Henry to allow the case to be dismissed without entering the plea.. I was unable to persuade Henry and Langdon to allow the plea to be dispensed with, and upon my insisting that it should be Henry stated at the last of said interview that if I did not agree that night to enter said plea he would on the next morning take leave with the co-defendants in said case No. 305 and with certain other designated persons who had offers, he stated, if the Prosecution would cease attacking them, to arrange to throw blame on me and to testify against me.





"and that he would thereupon prosecute this case and other cases against me without mercy, and have me sent up for life..

"Henev and Langdon replied that the plea was part of their program and policy, and that it could be dispensed with...

"Mr. Langdon and Mr. Henev both requested and said to me that I should keep secret all arrangements relative to the said plea, and to said plea, and Langdon further said to me at the time: 'You understand that we have not discussed with you in any way the matter of the withdrawal of the plea of guilty; you must and you can rely on the reverend gentlemen.'

"Finally... I agreed to and did accept the conditions demanded by the district attorney and his assistant Francis J. Henev, ... and they did then and there state to me that said plea should thereafter be withdrawn, a plea of not guilty entered, and the action thereupon dismissed; and said Henev and Langdon did then and there say to me that all other charges which had been brought against me or which could thereafter be brought against me, would be dismissed, as hereinafter more particularly set forth, and they did then and there state to me that Judges Burne and Lawlor respectively, of Departments Six and Eleven of the Superior Court, would carry out the agreements which the said District Attorney and said assistant district attorney had entered into and would enter into with me, and that the said judges had promised so to do, and that the said district attorney and said assistant district attorney did guarantee that said judges should carry out said agreement.

"Through his visits with me to Henev's house and from what he saw and heard there, and from the conversations had by him in reference thereto with said Burne, said Mr. Laylan and myself, Mr. William J. Biggy, elisor aforesaid, became cognizant of some or all of the terms of said agreement... Prior to the and at the time of these visits Mr. Biggy did repeatedly urge my sisters, my father and myself that I should yield to the prosecutor's requests, of which he had knowledge...

"From March 8, 1907, to Jan. 8, 1908, affiant was in the charge and in the custody of William J. Biggy, as elisor of the Court and appointed by Judge Burne of Department Six thereof... and was detained and held in custody by said elisor at The Little St. Francis Hotel and at 2849 Fillmore and at 2419 Fillmore Street.

"During that time affiant was not allowed to see any persons except by consent of Mr. J. Burne, through said elisor. Many persons were turned away. With the exception of occasional and rare talks with his attorneys and doctors Nieto and Laylan he was not allowed to speak to any one except in the presence or hearing of the guards, of whom from five to eight were in constant attendance and service. Not a single night in those ten months was affiant without at least one guard and generally two guards in his room throughout the night and from March 8, 1907 to about September 16, 1907, said Biggy also occupied affiant's room all night.... Affiant was allowed no privacy for any purpose whatever from said March 8, 1907 to the date of the entry of said plea.... Frequently during said period affiant was informed by some of his guards that he had talked in his sleep which, as affiant was subsequently informed and believes, was untrue, and by said guards at the time known to be untrue, and said statements were a part of a plan to annoy and harass affiant.

"Relief from this condition of affairs... was also





"promised by said Langdon, Heney and said Burns, and by said Biggys part of said agreement hereinabove referred to, and this promise also conspired to persuade affiant to enter into the agreement to plead guilty as aforesaid.

"And as part of said agreement concerning the entry of said plea, the said Langdon, Heney and Burns did agree with and state to this affiant that he would never be sent to any public prison as a result of entering said plea or at all, and that he would be allowed more liberties and privileges than he had theretofore been granted and that if any person should (upon said plea of guilty) attempt to cause him to be imprisoned in any jail the said District Attorney would immediately cause said plea of guilty to be withdrawn and affiant admitted to and released upon bail.

"At the same time that said agreement relative to said plea of guilty and the withdrawal thereof was entered as aforesaid, another agreement was made between affiant and the District Attorney and his assistant, Francis J. Heney, and subsequently after three or four drafts thereof had been made by and under the direction of said Francis J. Heney and presented to me by said William J. Burns and Rev. Dr. Kaplan, the said agreement was reduced to writing and signed by said William M. Langdon and the said Francis J. Heney in their official capacities. By said agreement, in consideration of my telling the truth on all matters involved in the so-called graft prosecutions of which I might have knowledge, and concerning which I might be interrogated, full and complete immunity was granted or promised me, as to all and any other matter other than this indictment No. 305 which had been charged or alleged against me as in terms in said writing expressed. It was expressly agreed and stated by said District Attorney and said Assistant District Attorney Heney that all indictments already brought against me should not be further prosecuted, that I should be visited with no restraint, and that all proceedings in cases against me should be dismissed, whether based on said indictments or any others which might thereafter be found and returned against me.

"This agreement in its final form was signed by District Attorney William M. Langdon, and his assistant, Francis J. Heney, on May 8th, 1927.

"I was confined to my bed under the care of physicians for a few days after that, but on May 12th, 1927, in accordance with the agreement herein set forth, and only in accordance therewith and because thereof and relying solely thereon, I entered my plea of guilty herein with the direct and express agreement with, and said District Attorney and said Assistant District Attorney and said Burns then stated to me prior to my entering the same, that I was in every event subsequently to be permitted to withdraw said plea.

"At the time of the final agreement it was agreed and stated by said District Attorney and said Assistant District Attorney that the matter of the plea in said case No. 305 should not be embraced in the written contract, although in one of the preliminary drafts thereof the full agreement as to said plea and the withdrawal thereof was fully set forth...the reason for the omission of said agreement relative to said case No. 305 from the written agreement was, and they so stated to me at the time that the prosecution feared that a disclosure immediately of



"the existence of said agreement relative to said plea of guilty might be precipitated in the trial of the defendant Schmitz, which was then contemplated, and that such immediate disclosure might be fatal to all their plans and might thereby cause the acquittal of Eugene E. Schmitz.

"The written contract of immunity above referred to was signed by said Langdon and Heney, and was agreed to in writing by me, and was thereupon placed in a safe deposit vault in the joint possession of Dr. Kaplan and William J. Burns (subsequently changed to the joint possession of Dr. Nieto and William J. Burns where the same now is,) neither to have the right to remove it or to have access to it without the presence and consent of the other. The District Attorney, said Assistant District Attorney and said William J. Burns stated to me that I was not to know, and I did not know where it was, so that I might testify, if asked, that I did not know where it was.

"In this contract, a part of which at least was given to the public by the District Attorney on Sunday morning, January 19, 1909, and a copy thereof, marked Exhibit 1, is hereto attached, the District Attorney and his assistant, Francis J. Heney, not only guaranteed to me absolute immunity, but they also guaranteed (as they had stated in the oral discussions with me) their control of the Grand Jury, and agreed not to re-indict me by said Grand Jury upon the conditions therein agreed upon.

"Prior to said May 8th, at the instance and by the procurement of said District Attorney and said Assistant District Attorney sixty-five indictments upon various matters had been found and returned against me by the then Grand Jury, known as the Oliver Grand Jury, and subsequently, under said agreement I was reindicted on the same charges by the same Grand Jury, and fifty-one reindictments for the same alleged offenses were found and returned against me by the same Grand Jury.

"At or about the same time said agreement of May 8th, 1907, was signed, it was stated to me, by said Burns, by said Heney, and by said Langdon, in the presence of said Dr. Kaplan, and by said Burns to me, in the presence of Dr. Nieto, that Judges Burne and Lawlor were in thorough sympathy and agreement with the prosecution, and that they would co-operate with the prosecutions; and also, that the presiding judge of the Superior Court had agreed to assign all indictments in these 'Graft Cases,' including all indictments returned or to be returned against myself, only to the two departments of the Superior Court presided over by said Judges Burne and Lawlor, and in accordance with said statements, in one of the written proposed drafts of the immunity agreement, it was on the part of the District Attorney set forth and proposed "to cause all indictments against me to be assigned to the department No. 6 and to secure the promise of the presiding judge of the Superior Court of the City and County of San Francisco to that effect, and to try one of each set of indictments before December 1, 1907, and to procure the agreement of the judge of the department to which said indictments are to be assigned that upon defendant's testifying he will discharge him, and will dismiss all indictments against him as herein provided.

"In order to obtain for me the desired assurances and promises also from joint indictments provided for in the agreements might thereafter be assigned, Francis J. Heney and





"William J. Burns, as affiant is informed and believes and  
"therefore alleges, arranged a midnight interview with Judge  
"Lawlor on April 29, 1907, and prior to the execution of said  
"written agreement, at which interview said Heney and said  
"Revs. Nieto and Kaplan were present. This interview was had  
"at the Temple Israel on the same night as the interview  
"with Judge Dunne and a few minutes before said last mentioned  
"interview. Judge Lawlor in answer to a statement by Heney  
"concerning the District Attorney's proposed action, relative  
"to certain cases which might be assigned to his department,  
"said that he had the utmost confidence in the District Attor-  
"ney's office, and having such confidence would favorably  
"entertain any suggestion or request relative thereto made  
"by the District Attorney's office....

"On the 8th day of May, 1907, said agreements were  
"entered into and said agreement was signed. On the 15th  
"day of May, 1907, this defendant pleaded guilty to said  
"indictment No. 305.....



THE UNITED STATES OF AMERICA  
DO hereby certify that  
the within and foregoing is a true and correct  
copy of the original as the same appears  
in the records of the Department of the Interior  
at Washington, D. C.  
in testimony whereof, the Secretary of the Interior  
has hereunto set his hand and the seal of the  
Department at Washington, D. C., this 1st day  
of January, 1901.  
Secretary of the Interior

"That affiant did rely upon and believe said agreements, promises, assurances and representations of said District Attorney, said Assistant District Attorney, and of said Burns and of said Judges, and so relying and by reason of the facts herein stated, he did, upon the request of said District Attorney, and said Assistant District Attorney, on May 17, 1907, on September 28, 1907, on September 30, 1907, and on October 15, 1907, and on other dates subsequent to said last named date appear before the Grand Jury of the City and County of San Francisco, where he was taken by said elisor upon the request of said District Attorney and his Assistant, and was there interrogated of and concerning many things, and among other things the passage by the Board of Supervisors of San Francisco of an ordinance authorizing the United Railroads to use an electric system in place of their then cable system of operation; that said affiant did answer the questions propounded to him by the District Attorney and Assistant District Attorney and Grand Jurors concerning said and other matters; that the said Burns and the said Heney and the said Langdon stated to this affiant that the said matter involving the United Railroads and said franchise was to them the most important of the matters under investigation".

"In some of the matters concerning which this affiant was interrogated before said Grand Jury a stenographer was present but in said matter of the said United Railroads, which was being investigated by said Grand Jury when this affiant was taken before said Grand Jury, no official stenographer was present or acting and this affiant's testimony of evidence was not written down at said time. The absence of the stenographer was at the special instance of said Heney, who stated to this affiant that he did not desire the presence of the official stenographer while this affiant was testifying because he did not want the defendants in the indictments which were to be returned against the officers of the United Railroads to secure a transcript of this affiant's testimony before the Grand Jury and did not want them, or either of them, to know what this affiant's testimony was before the trial or said defendants so to be indicted."....

"After this affiant had so testified before the said Grand Jury relative to the matter of the passage of said ordinance, which was the first matter concerning which this affiant was interrogated, the said Heney, in the anteroom of the Grand Jury, came to this affiant, thanked him".....

"This affiant further says he has never refused to testify and has never objected to testifying that he has always been, from the said 8th day of May, 1907, to and including the 18th day of January, 1908, ready and willing to testify to the truth and the whole truth, concerning any and all matters of which he might have any knowledge, and to comply with the said agreements in every respect, and has repeatedly, and until and including the 18th day of January 1908, and on said last named date, so stated his willingness and readiness to the said District Attorney and to the said Assistant District Attorney and to their agent, William J. Burns."....





"Affiant further says that after this affiant testified before the Grand Jury in the month of May, 1907, to-wit, on the 24th day of May, 1907, there were returned to this court, and assigned to Department No. 11 thereof, fourteen indictments in and by which this affiant, Tirey L. Ford, Patrick Calhoun, and others were charged with the crime of giving and offering a bribe under Section 165 of the penal code of the State of California, in relation to the passage of said ordinance, herein referred to".

"That said causes proceeded in said court until an issue was presented by the plea of not guilty of said Tirey L. Ford, and that one of said causes against Tirey L. Ford was set for trial."

"This affiant says that upon one or two occasions prior to the first trial of Tirey L. Ford on one of said indictments, which said trial occurred in the months of September and October, 1907, Francis J. Heney did interrogate this affiant in the office of said Heney, to which place this affiant had been taken by the said Elisor hereinbefore mentioned, which interrogation was of and concerning the evidence which this affiant might give in said matter" . . . .

"That thereafter this affiant was subpoenaed on the part of the people to attend the first Ford trial as a witness, and under the direction of the said Burns and the District Attorney, this affiant was kept in constant attendance at said Court and daily brought thereto from the day that the trial commenced until and including the last day of the taking of testimony at said trial, which said last day was the 2nd day of October, 1907. That according to the recollection of this affiant the taking of testimony in said cause commenced on the 23rd day of September and continued daily thereafter, Sundays and Saturdays excepted, until the 2nd day of October, 1907, at 2 o'clock P.M. of said second day of October, . . . . That at 2 o'clock P.M. of said day this affiant was again taken into court by his guards under orders by said Burns, was ready and willing to take the stand, and without any previous knowledge that he would not be called as a witness, and without any explanation to this affiant, the said Heney, without calling this affiant to the witness stand, announced the case for the people closed."

"After this affiant had testified before the Grand Jury concerning the passage of the said trolley franchise herein referred to, and after the return of said indictments on May 24, 1907, and upon several occasions thereafter, said William J. Burns, acting for the District Attorney and for said Heney, did request of this affiant to remember more than this affiant had testified to concerning said matters and relative to said United Railroads' ordinances and transactions, and did demand and insist that this affiant when called upon to testify should add to his testimony matters and things and words which were absolutely untrue and which false testimony was intended to incriminate Tirey L. Ford, Patrick Calhoun, and others in the said indictments hereinbefore referred to, which were numbered 810 to 825, both inclusive. That said Burns did continue his attempts to cause this affiant to agree to testify to said false matters, and he did so in the presence of Dr. Nieto and Dr. Kaplan, and has attimes since the 24th day of May, 1907,





stated in the presence of both Drs. Kaplan and Nieto, that the District Attorney and Heney would not be satisfied with this affiant's evidence unless this affiant changed it to comply with the desires of the District Attorney and said Heney, and it was requested of this affiant by the said Burns, and said Burns did persist in attempting to force this affiant to so testify, notwithstanding the fact that this affiant did repeatedly say to said Burns, and did say in the presence of Nieto and Kaplan to said Burns, that if this affiant did so do that he would commit perjury, and that said Burns, by demanding the said evidence, was insisting and demanding that this defendant commit the crime of perjury. That affiant repeatedly said to said Burns that he could not and would not comply with the desires of said Burns and the said prosecution by stating what was not true.

"These same matters came up in interviews had by the affiant with said Heney, and also during the month of January, 1908, in interviews had by this affiant with the District Attorney, and this affiant as at all times, and at all of such interviews declined to make the additional statements suggested and requested, or to change his testimony as demanded, because to have done so would have been to have committed perjury and thus to have falsely and wrongfully added peril to the liberty of other persons and falsely and wrongfully to have rendered unhappy and miserable innocent women, children and parents."

"Affiant further says that the jury in the said case against Terey L. Ford did not agree upon a verdict, and the said jury was discharged by the Judge presiding over the trial of said cause; and after October 2nd, the said cause was again set for trial, and the same was tried, and this affiant was not then subpoenaed by the people, and he was not present during the said second trial, and that of and concerning the same he was informed by said Burns and by Dr. Kaplan that Assistant District Attorney Heney had again stated his determination to reserve this affiant and his testimony for the trial of one of said cases against Patrick Calhoun; and was informed by the said Burns when said second trial of said Ford came up that the case against Patrick Calhoun was the main case in which the prosecution really wanted a conviction, and the said Burns did state to this affiant that he was not to be called as a witness on the said second Ford trial."

"That affiant was therefore much surprised when he was informed, as he was, that Mr. Heney, during his argument to the jury on said second Ford trial, vehemently and solemnly declared to the court and jury that his reason for not calling this affiant was because this affiant had demanded complete immunity before testifying, and that he, Heney, would never agree to that; and this affiant further asserts that no conversation of any character relating to immunity or to immunity contracts took place between the said Heney and this affiant, or between this affiant and any other person connected with the prosecution, from the close of the first Ford trial, as above related, to the close of the second Ford trial; that as a matter of fact no demand for complete or any kind of immunity was made by this affiant or by anyone on his behalf between the time of the closing of the first Ford trial and the completion of the second



"Ford trial; and that during all of said time, this affiant already had the contract for complete immunity heretofore referred to. ....

"Shortly after the Calhoun case was announced as the next case to be tried, which was in November or December of last year, Burns took me from the place where I was detained at Henry's office, and I was there interrogated at great length as to the testimony I would give in that case. . . . My responses to Mr. Langdon were truthful and correct, but I was informed that they were not what the prosecution wanted them to be and I was falsely told that of and concerning those matters that I was holding back and that I would have to "come through" and tell them as they wanted them, and that I must testify as what the prosecution declared was the truth which were the matters and things which I asserted and insisted were not the truth, and in fact were not the truth."

"After the decision, the Appellate Court in the Schultz case which was on January 9, 1906, I requested the District Attorney to consent to the withdrawal of my said plea of guilty herein, as I did not wish that case to be dismissed on the insufficiency of the indictment but wanted the plea withdrawn pursuant to the contract and agreement heretofore mentioned, and after such request I did again go over the matter of my statements theretofore made under the said promise to the said Grand Jury and to the said Langdon, Burns and Henry, and did then assert to said Burns and to said Langdon, and I do now assert and state that I have not withheld the truth and that if I had testified to the matters and things which were requested of me as before related that I would have testified falsely and would have committed perjury. These last interviews with Burns and Langdon concerning the matter now referred to took place on or about January 10, 1906, and at said interview I then named the said District Attorney and said Burns stated to me that they believed I was withholding "some" of the truth, and that I knew more than I was telling with reference to the matters of the United Railroads and the passage of the said franchise, and also stated to me at said time that unless I told the "truth" in the way they demanded as wanted it, that they would not be satisfied, or as I put it at that time to them in plain language, they demanded perjury of me as the price of my liberty."

"After the conversation last referred to said Langdon stated to me in the presence of Burns or or about the 11th of January, 1906 that he had considered the whole matter very carefully and that while there was some difference in the matter on the part of the prosecution he had personally decided to accept my statement concerning the said United Railroads matter as correct and that he would immediately proceed to carry out the agreements and the immunity contracts and that he would on the very next morning in open court consent to the withdrawal of my plea of guilty. Mr. Langdon and myself agreed as to the form of action to be made by me for the withdrawal of the said plea, and it was written out by me as follows: "In case No. 30, I move to withdraw the plea of guilty heretofore entered. The District Attorney has consented and does consent to the granting of this motion, and to withdrawing the plea".... On January 11th, 1906, at 10 o'clock A.M., District Attorney Langdon appeared in court





"with Mr. Burns. I also being present, having been taken there  
"by the Deputy Sheriff. There was a short discussion between  
"the District Attorney and myself, and he stated that he thought

"it best to see Judge Dunne first and prepare him for the motion  
"We then all agreed, and Mr. Langdon went in to the chambers of  
"Judge Dunne to ask the withdrawal of my plea herein. When he  
"came out in about a half an hour, he announced that the Judge  
"would not agree to it. Burns then suggested that they secure  
"other influences, and said to Mr. Langdon that Mr. Cobb, Mr.  
"Waney's partner, should be at once sent to Judge Dunne, and also  
"that Rudolph Spreckels and Prescott Older, editor of the Bulletin  
"he secured to go to Judge Dunne to obtain his consent and further  
"stated "They will get him to do that". .... During the afternoon  
"of January 14th, 1908, Mr. Burns communicated to me by  
"telephone the fact that Older was now with said Judge Dunne  
"and that Older had assured Burns and had stated to him that  
"he, Older, would fix the matter up with Judge Dunne, and that  
"the Judge would be all right. Also that he, Older, desired  
"me to make an affidavit of some kind in a case which Burns said  
"W. S. Tevis had brought against Older in Eakersfield and Burns  
"said to me, "As he, Older, is now helping us, you must help  
"him".... Burns also told me on that day that Rudolph Spreckels  
"had seen, or would see Judge Dunne, and that he had no doubt  
"whatever but that Judge Dunne, would be all right before morning  
".... We also told me that Mr. Cullinan, Older's attorney  
"and the Associate Editor of the Bulletin, was framing up an  
"affidavit for me to sign in the Tevis matter, and Mr. Burns  
"asked me to sign it. I told him that I would cheerfully do so  
"if it stated the truth. Burns then said to me: "Make it as  
"strong as you can." I answered that I would look at the affidavit  
"when they brought it up. Mr. Cullinan came with the  
"affidavit and I looked at it and said to Mr. Cullinan I could  
"not sign it in its then form, as it did not state the facts  
"truthfully. Mr. Cullinan asked me to sign it as it was, at  
"the same time saying to me that Older could be as good a friend  
"as he had been an enemy, but I answered him and said I could  
"not do so without making substantial changes in the affidavit..  
"Cullinan thereupon, in my presence, telephoned to Mr. Burns and  
"stated to him that I would not sign the affidavit as prepared.  
"Cullinan then called me to the telephone and I spoke to Mr. Burns  
"myself. Burns said to me, in substance and effect, as follows:  
"What the hell do you mean by not signing that affidavit? It  
"states the truth. You must do something for Older for what he  
"is doing for you." I answered saying that I would make the  
"proper changes and would then sign the affidavit. Thereupon  
"Mr. Burns again said to me: "Why in hell don't you sign it as  
"it is; you know it is the truth, and we want it right away?  
"Sign it tonight; what do you want to change it for?" I answered  
"Mr. Burns and said I would not sign it unless I had changed  
"and corrected it.... On the 15th day of January I drafted an  
"affidavit which was different from the affidavit sent to me by  
"Mr. Burns through Mr. Cullinan.... and the said affidavit was  
"thereafter delivered by said Burns to the said Older...

"On January 17th, 1908, I.... was informed by Mr. Langdon  
"and Mr. Burns that they had not yet been able to fully persuade  
"Judge Dunne.

"On January 18th, which was Saturday, I communicated with  
"Mr. Langdon by telephone.... and.... made an engagement at his  
"request to meet him at his own office.... that same day. Mr.





"request to meet him at once at his office...that same day..Mr. Langdon did not arrive until about 3 o'clock P.M., when he came with Mr. Burns. After a few questions Mr. Langdon, much to my surprise and astonishment, stated to me in substance and effect as follows: "I have been willing to keep these contracts; I am willing yet, but I find that it is impossible. I must now declare them cancelled and at an end, because the Judges will not stand for them. Judge Lawler will not dismiss any of these indictments if we move to do so, and Judge Dunne refused to allow the plea of guilty to be withdrawn. We have asked both of them to do so. I would regret the decision more if we were all satisfied that you have not been withholding some of the truth. We have come to the belief that you must be flirting with the other side. We will be obliged now to leave you to the mercy of the court, as we have cancelled these contracts by reason of our inability to perform them. If you are willing to go upon the witness stand and testify in the Calhoun case and in the other cases without any contract or agreement from us, and will trust to the future action and consideration of the Judges and our recommendations - as your testimony may warrant, we will put you on the stand in these cases as a witness; or, if you do not do this we will put you yourself on trial next Monday," (January 20th)....I insisted and demanded that he, the District Attorney, keep his contract, and I further stated to said Langdon and to said Burns then and there that the said declaration and explanation of the District Attorney seemed to me merely a blind - a pretext to force perjury on me in order to obtain the suggested consideration and action of the Judges, and I then and there charged both said Langdon and said Burns with duplicity and breachery and want of good faith. The said Burns and said Langdon demanded an immediate answer from me as to whether I would accept the proposition just made as aforesaid to go to be on the stand as a witness in the Calhoun case without any contract from the District Attorney and without the prior dismissal of the indictment against me relative to the same subject as in said "Immunity contract" set forth and thereupon take my chances upon the future action, consideration and leniency of the said Judges and the recommendations of the District Attorney, as my testimony might warrant, or stand trial myself next Monday. Said Langdon then and there stated that he would give me until 3 o'clock that evening (January 18th, 1908) to make up my mind, and to declare to them whether I accepted their proposition or not...I stated to said District Attorney that I could not agree to accept the proposition under these conditions,...and on the same evening the said District Attorney did issue a statement in which he gave publicity to said immunity contract....

"And I charge the District Attorney, William F. Langdon; the Assistant District Attorney, Francis J. Haney, and their said agent, William F. Burns, with deliberately conspiring and plotting to secure and extort from me the commission of perjury by me in the trials of Eugene F. Schmitt, of Percy E. Ford and of Patrick Calhoun, and in other matters, and I assign their failure to secure from me the commission of such perjury as the true reason for the attempted repudiation and attempted cancellation of said immunity contract and agreements, and I assert that the attempts of said persons to secure from me such false





"testimony of said known to said Reverend Dr. Nieto and said Rev. "Dr. Farlan, as some of such attempts were made in the presence "of said reverend gentlemen, and other attempts were made by said "persons through messages, brought to me from said persons by "said reverend gentlemen."

"The District Attorney and the prosecution did, from the "said 10th day of May, 1907, to this day consent, by a large "number of continuances, to the postponement of the sentence on "said plea, with the express understanding and agreement between "said District Attorney and myself and upon the express statement "by said District Attorney to me that sentence should never be "pronounced thereon, but that the said plea should be withdrawn, "the plea of 'not guilty' entered, and said case, as to myself, "together with similar so-called French restaurant cases (Nos. "304,304,304 & 7) should all be dismissed and not prosecuted.

"I have been detained in private confinement and in the "custody of the elisor aforesaid, from the date of said plea, "May 11, 1907, to and including Jan. 3, 1908, and from said 11th "day of May, 1907 to September 17, 1907, the District Attorney "said Assistant District Attorney, said Burns and said Joseph "Sprackels and the said Judge of Dept. No. 6, Frank M. Dunne, did "cause the bills and expenses of my said detention and of the "guards appointed to assist in maintaining my custody, to be paid "by the city and county of San Francisco, by orders therefor, "signed by said Frank M. Dunne, in amounts and details which were "fully appear from Exhibit D, herewith attached and were a part "thereof. And from the 10th day of September, 1907, to the 8th "day of January, 1908, the said Langdon, Heney, Burns, Sprackels "and said Judge Dunne did authorize said William J. Wiggy, as "elisor to retain his custody of me, and did further authorize "said Wiggy to exact from me and to receive from and said Wiggy "did receive from me, various large sums of money for the pay- "ment of the salaries of said guards appointed to assist in main- "taining the custody of me, and their expenses, and the expenses "of my detention, which sums and amounts so exacted and received "are in excess of \$4,000.

"Shortly before the first Ford case was called for trial "the said Langdon, said Heney, and said Burns did thereafter de- "clare and of this affiant that he testify in said cause when he should "be called as a witness therein to matters which were false, and "that he should change in his testimony so to be given at said "trial the testimony which he had given before the Grand Jury "in said matter, and that he should also add to said testimony "matters which affiant had not testified to before said Grand "Jury and which weren't true, and that affiant stated repeatedly "to said Langdon, Heney and Burns that the said changes and add- "itions which they so desired and requested him so to make in "the testimony which he was to give on the trial of said Ford "were not in accordance with the truth--that they were false, and "that affiant could not and would not so testify, and that the "facts of the matter did not justify and did not support the "testimony which they requested and desired and demanded that "this affiant should so give on trial, if called as a witness "therein".

"In particular affiant sets forth and declares: that on Mond- "ay, Sept. 30, 1907, and while the said first trial of Toney L. Ford "was proceeding in Department No. 11 of this Court, and during the "period when as aforesaid, this affiant was in the custody and "under the orders of said Deputy, elisor and of said Burns, in "attendance at said trial, the said Rev. Farlan did... say to me "that he did call and was calling upon me at the instance and "request of said Burns and said Dr. Farlan did then state to me "that he had to last mentioned visits, in substance and effect, that the "prosecution in said case was demanding and did





"demand that I make my testimony concerning said Ford and Patrick Calhoun a co-defendant of said Ford-- much stronger than the testimony which I had given before the Grand Jury; that they (said Heney, Burns and Landron) were demanding and did demand from me testimony to convict said Ford and said Calhoun.... About 9 o'clock p.m. of the same day, Dr. Kaplan returned to said 2529 Fillmore Street and stated to me that he had had another interview with said Burns, and that said Burns was coming over in a few moments to see me. A few moments thereafter Burns came, and in the presence of said Dr. Kaplan did say to me in substance and effect: 'I am getting hell. We are not satisfied with your testimony in this matter (the United Fruit case matter). You've got to make an stronger against Ford and Calhoun. You are holding back. If you don't testify to convict and help us to convict him and Calhoun you can't expect favors from us. I wash my hands of the immunity contract. I won't be intermediary any longer.'... I then and there told Burns, in the presence of Dr. Kaplan, that I could not stand fur his menaces and threats to compel me to lie on the witness stand.... Burns turned to me and asked me if I could not change my recollection as to certain specific matters. I told him that I could not and that I would not, as it would be untrue. The said interview between said Burns, Kaplan and myself lasted for one hour and a half. Immediately upon the departure of Burns I made a memorandum of the entire conversation, from which the above statement there of is made.

"On Wednesday, Oct. 2, 1907, the prosecution closed its evidence in the said Ford trial without having called me to the stand as a witness.... I also told Drs. Niato and Kaplan that the defense might subpoena me in view of the fact that the prosecution had not put me on the stand on Thursday, Oct. 3, 1907, I was informed, at 9 o'clock a.m., by one of the deputy elisors, that I should not go to Court that day. At 10 o'clock a.m., a subpoena was brought to the house, 2529 Fillmore street, which the deputy elisor refused to allow to be served, but he telephoned to said Burns and said Heney that said subpoena had been presented. At 10:30 o'clock of that day the process-server returned with a subpoena, which was accepted, and I was taken to Court. At 12:15 p.m. of that day I had a talk with Burns relative to the attitude I was to assume if called to the witness stand by the defense. In the court room Mr. Earl Rogers, attorney for the defendant Ford, came up to me where I was sitting, next to the deputy elisors, and said, 'Can I ask you two or three questions?' I replied 'They won't let you.' Then he said, 'Who?' I replied, 'The elisor and his deputies.' Deputy elisor McCarthy then said, 'I won't let you talk to him unless you get an order from Nigzy.'

"I do further state that the said Dr. Kaplan did repeatedly state to me that said William J. Burns had asked him, said Kaplan, to use his influence upon me to refuse to testify to what the prosecution wanted, and that if I would do that I would be absolutely safe.... Dr. Kaplan stated to me that he had called upon said district attorney, and that said district attorney had stated to him and had requested him to say to me, that everything relative to the agreements of immunity would be all right, but that Dr. Kaplan should try to get me to tell that the district attorney and the prosecution asked me to tell in reference to the cases of Patrick Calhoun and Percy L. Ford, and that he, said Dr. Kaplan, said to the district attorney that I had stated both



"to the District Attorney and to other members of the prosecution and to Dr. Kaplan that I told the truth concerning said parties. Whereupon said District Attorney had said to Dr. Kaplan in substance and effect: 'We want Huef to help us to convict them; we want him to help us; he is clever; he is the cleverest man in the city, and he can help us very much!'

"I further state that at various times between May 15, 1907, and January 3, 1908, the said District Attorney, said Huey and said Burns have sent to me at the place of my detention various people to state, and they did state, that I should give testimony in the United Railroads matter and in other matters, as the prosecution desired, and that I should testify as the prosecution wished, and they have sent such persons to me to induce me to make statements such as the prosecution desired, and which were not in conformity with the truth....

"Dr. Nioto on several occasions has stated to this affiant that the prosecution demanded of him (affiant) testimony which would incriminate Calhoun and Ford in the United Railroads matter, and that they had assured him in substance and effect that I must give such testimony or take the consequences... I stated to said Dr. Nioto then and there that the testimony which the prosecution desired I should give, and which was different from the testimony I had given before the Grand Jury in said matter, was not the truth, that I could not testify the same, and that if I did so testify, I would be committing perjury....

"The said Burns also interviewed my father and my sister and urged and requested and stated to them that they should advise me and influence me to give such testimony, and that unless I did give such testimony I would suffer the consequences.

"And I do further state that soon after May 15, 1907, and on several occasions thereafter, said Burns did attempt to secure from me testimony, and did request me to give testimony in other matters than the said United Railroads matters, which testimony, if given as requested and suggested by said Burns on behalf of said prosecution, said District Attorney and said Assistant District Attorney, would have been untrue, and I stated to said Burns at the time that if such testimony were given, by me as requested by him, and as he claimed it should be given, that the same would be untrue and that if given in court or before the Grand Jury by me as by him requested, it would be perjury."

"Among the matters so requested, to be testified to and urged upon me by said Burns for and on behalf of said prosecution were matters which related to William F. Herring and J. M. Harriman of the Southern Pacific Company and especially was it desired and requested that I should testify concerning these last-named persons that they had entered into a corrupt bargain and agreement with me relative to and that they had paid money to me for and concerning the nomination of James W. Gillett as candidate for governor of the State of California by the Republican State Convention which was held in Santa Cruz in the year 1906, and asserted and claimed to me that they, said Herring and Harriman, and said Governor had committed crimes against the laws of this state thereby, for which they could be indicted, and it was stated to me by said Burns that the prosecution had positive information and knowledge that the - -





"said William F. Herrin had paid me a large sum of money to purchase the votes of the delegates representing the City and County of San Francisco in said Republican State Convention, and wanted me so to testify, and stated that the prosecution wanted to "get" the Governor and Herrin and Harriman. I stated to said Burns that said statement was not true, and that no money had been paid to me for said delegates or for the votes of any of said delegates, or for any matter in or about said Republican State Convention. The said Burns did then and at other times state to me that the prosecution--especially said Money and said Gillett--were especially and particularly anxious to incriminate said William F. Herrin, said E. M. Harriman and said James M. Gillett, who had been elected and at that time was Governor of the State of California, and did further state to me that said Money did have the support of President Theodore Roosevelt in that connection, and that said prosecution desired to overthrow the political power of said Herrin and said Harriman in the State of California.

"I stated to said Burns that I could not truthfully say anything concerning said Herrin, said Harriman or said Gillett which would in any wise incriminate them, or either of them or tend to show that they had committed any offense against the laws, or otherwise, and that so far as said Republican State Convention was concerned, that not one dollar was ever paid by them to me to secure a single vote of any delegate on any nomination in said convention. The said Burns did thereupon state to me that he had received information that said Money had paid to me for said Herrin for the votes of said delegates for the nomination of said Gillett as the candidate for Governor by said convention. I replied and said to said Burns that no such money had ever been paid to me for the vote of any delegate or for any nomination or for assisting in the nomination of said James M. Gillett. Hereafter, sustaining these statements by me to said Burns, and similar statements made by me to said Henry and Langdon in reference to said matter I was called before the Grand Jury and interrogated concerning said matter, and I did before said Grand Jury testify fully and truthfully concerning said matters relative to the nomination of said Gillett by said Republican State Convention and the participation therein of the delegates from San Francisco to said convention, and I stated to said Grand Jury that not a dollar was paid or promised to me by said Harriman or anyone else for the vote of or to influence the vote of any delegate to said convention from San Francisco to vote in said convention for the nomination of said Gillett as the candidate of the Republican party for Governor of the State of California.....

"And Affiant states on his information and belief that said grand jury was at all times during its existence under the complete control and domination of said prosecution....And affiant further says, as instancing such control and the manner in which such control was exercised by said prosecution, that on one occasion while affiant was in the Grand Jury room to-wit, on September 26th, 1907, and upon the witness stand before said Grand Jury as a witness and was testifying in a certain matter then and there being inquired into by said Grand Jury, one of





"said Grand Jurors, Mr. Charles Bennett, did proceed to interrogate this affiant, and did put to this affiant two or three questions relative to the subject matter concerning which he was testifying; whereupon, said Heney-Assistant District Attorney, said loudly and vehemently declare to said Grand Jury, in affiant's presence that he had already shown a prior case in that matter, and in substance and effect that he would not stand for any further questions or interrogations by the Grand Jurors; to which said Grand Juror and others replied in substance and effect that he was only endeavoring to elicit the truth, and that he thought he was entitled to do so. Thereupon, said Heney did angrily state that if said Grand Juror persisted in asking any further questions of this affiant, he, said Heney, as Assistant District Attorney, would withdraw the stenographer, that he did not propose to allow any grand jurors to ask any questions which might furnish a possible suggestion to the defense in these matters, and in substance and effect that he did not propose to have any inquiry continued, which would elicit any testimony which might prove of any benefit to any person accused. Thereupon, in view of the said threats and statements of said Assistant District Attorney to withdraw the official stenographer, and his other statements, the Grand Jurors did not ask affiant any further question, and affiant was thereafter dismissed from the Grand Jury rooms.

"This affiant further says that where the term 'higher-ups' is used in this affidavit it was intended to mean an individual among others Patrick Calhoun, Tiley L. Ford, Thorswell Mullally and other officers of the United Railroads Company and other persons, members and officers of other corporations in the City and County of San Francisco; William F. Herrin, E. H. Harriman and Governor James N. Gillett.

"This affiant further says that he is informed and believes that the said District Attorney and the said Assistant District Attorney, and therefore states the fact to be, did conceal from the Grand Jury, known as the Oliver Grand Jury, during all the time that this affiant was taken before said Grand Jury the fact that an immunity contract had been made with this affiant; and that he is further advised and believes and therefore states the fact to be that not only was the said fact concealed, but the said Heney and the said Langton did give said Grand Jury to understand that no such contract had ever been made; that said information was imparted to him indirectly by Mr. B. P. Oliver, formerly Foreman of said Grand Jury."



(RUEF IMMUNITY CONTRACT,--Attached as Exhibit  
to foregoing affidavit:)

" Whereas, Abraham Ruef of the City and County of San Francisco has agreed to impart to the District Attorney of the City and County of San Francisco, State of California, a full and fair statement and disclosure, so far as known to him, of all crimes and offenses involved in the so-called 'graft' prosecutions of investigations now and heretofore conducted by said District Attorney by whomsoever such offenses or crimes may have been committed, and has agreed in making such disclosures and statement to state fully and wholly all of the facts and circumstances known to him, in, about and surrounding the same and in making such statement and disclosure to tell the truth, the whole truth and nothing but the truth; Now, therefore, in consideration of the premises it is agreed by the undersigned that if said A. Ruef shall so said things and immediately make such full and fair disclosure of all such crimes and offenses involved in the so-called 'graft' prosecutions and investigations above referred to, and known to him, and shall state and disclose to the undersigned the truth, the whole truth and nothing but the truth, and shall make full and fair disclosure of all said crimes and offenses known to him, and of all the facts and circumstances in, about and surrounding the same, and known to him, and shall at all times whenever called upon before any court, testify in regard thereto and to the whole thereof fully and fairly, together with all the facts and circumstances surrounding the same, so far as same are known to him, and shall state, tell and testify on oath the truth, the whole truth and nothing but the truth therein, then and in that event the undersigned, deeming it to be in the interests of public justice and believing that said A. Ruef will thereby be equitably entitled to such consideration in accordance with the time-honored custom and practice of prosecuting officers in both State and Federal jurisdiction throughout this country, and in line with common law precedents: 1. Will grant and obtain for said A. Ruef full and complete immunity from prosecution or punishment for all and any of said offenses and crimes involved in said so-called 'graft' prosecutions or investigations, and will not prosecute him for any thereof. 2. Will cause said A. Ruef to be jointly and not otherwise indicted with all and any others against whom indictments have heretofore been or may hereafter be returned or found for or upon any crimes or offenses in which said Ruef has participated or is alleged to have participated to this date. Provided, however, that the undersigned shall not be bound to include any of the present members of the Board of Supervisors in any such indictments. 3. Will, as any one of said joint indictments relating to a specific subject matter shall be taken up for trial, after the jury has been impaneled and sworn to try the same, dismiss the same and all other indictments and charges on the same general subject matter as against the said Ruef, under the provisions of Section 1099 of the Penal Code of the State of California, and will at the



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"same time dismiss all indictments relating to the same general subject matter which are now pending against said Ruef singly. Any and all indictments or charges upon any general subject matter of which one shall yet have been brought to trial before December 31, 1907, shall be dismissed as to said Ruef and said Ruef discharged or or before December 31, 1907, under the provisions of Section 1099 of the Penal Code where applicable, or under provisions of other sections of said Code in cases where said section 1099 shall not be applicable. It is, however, expressly agreed that in any event all indictments and charges now pending or hereafter to be brought against said Ruef (except action No. 305, which is herein otherwise provided for) shall be dismissed as against said Ruef under the provisions of Section 1099 of the Penal Code where the same may be applicable and when said section is not applicable shall be dismissed under other provisions of the code, all prior to December 31, 1907, and, in any event, prior to said District Attorney resigning or otherwise surrendering or giving up his office or terminating his tenure thereof, it being the understanding and agreement that each and every indictment and charge now pending or hereafter to be brought against said Ruef shall be absolutely dismissed. Provided, that said Ruef shall have fully performed so far as may have been in his power the spirit and letter of his agreement herein. 4. All and any indictments or charges which are to be found or returned against said Ruef jointly or otherwise, shall be returned and found not later than October 1, 1907, unless hereafter otherwise mutually agreed. 5. In the event of the prosecution of said Ruef by any other officer or person on account of any such crimes or offenses committed or participated in or alleged to have been committed or participated in by said Ruef to this date, the undersigned will employ every legitimate influence and power to secure a dismissal thereof, and in the event that a conviction shall be had in any thereof, the undersigned hereby agree to apply to the Governor of the State of California for the pardon of said Ruef therefor and to use all legitimate influence and power to secure such pardon. 6. It is understood and agreed that notwithstanding the scope and effect of the language used throughout this agreement, it does not, and shall not be construed to apply in any respect or particular to that certain indictment No. 305 or the offense charged therein, which is now pending against said Abraham Ruef jointly with Eugene W. Schmitz, in the Superior Court of the City and County of San Francisco, State of California, in Department No. 6 thereof. Dated May 8th, 1907.

WM. H. LANGDON

District Attorney of the City and County  
of San Francisco.

FRANCIS J. HENEY  
Assistant District Attorney of the City and  
County of San Francisco.

Agreed to,

A. RUEF.  
San Francisco "Examiner"  
Jan. 19, 1908.



(c) AFFIDAVIT OF RUF filed in the Superior Court, Dept. No. 11, March 19th, 1908, in the case of "The People, vs. Ruf" FREE!  
 FORESEE OF IMMUNITIES OF IMMUNITY CASE ONLY ON  
 OCCASIONS OF RUF'S REFUSAL TO AGREE TO COMMIT  
 PERJURY.  
 PROSECUTION SAID THEIR MOST IMPORTANT MATTER WAS  
 THE U.S.S. MATTER;  
 COMPLETE REPROBATION OF ACTUALLY;  
 COMPLETE " " " ABUSE;  
 " " " CALHOUN;  
 " " " FORD;  
 JUST BEFORE THE FOREMAN BURNS TRIED TO GET RUF  
 TO PLEDGE OR CERTIFY THAT FORD & HE WERE  
 BELIEVED OF SUPERVISORS BUT THIS ENLIGHTENED TO BE  
 SO, LEADING TO THE FALLS;  
 PROSECUTION WOULD NOT BE SPONGE WOULD ADMIT  
 FORD & CALHOUN, & OTHERS STITCHED THAT WOULD;  
 CONVIC;  
 THEY WERE GID TO GET RUF AND PAID "TO PUT THE  
 MATTER THROUGH THE BOARD OF SUPERVISORS" ON  
 THAT HE THOUGHT IT WAS, BUT HE REFUSED;

"(Affidavit of Abraham Ruef filed in the Superior Court  
 "Dept. 11, March 19th, 1908, in the case of "The People of  
 "the State of California vs. Abraham Ruef," No/ 828: )

"The only times when the prosecution ever even suggested  
 "or intimated to me that the immunity agreement, or any  
 "part thereof, would be repudiated, were on the several  
 "occasions when Langdon and Heney, and especially Burns,  
 "attempted to suborn perjury by trying to procure me to  
 "swear falsely in order to assure the conviction of Eugene  
 "E. Schmitz, Tiley L. Ford, Patrick Calhoun and others.  
 "On such occasions it was stated to me by Langdon, Heney  
 "and Burns, and especially by said Burns, in substance and  
 "effect, these occasions being subsequent to the 24th day  
 "of May, 1907, that if I did not and would not testify in  
 "court upon the several prosecutions of others of what the  
 "prosecution demanded, that my immunity contract would be  
 "declared off, and that they would cause sentence to be im-  
 "posed upon me in Case 305, and on said occasions as affiant  
 "then believed and still believes said statements were made  
 "by said Heney, Langdon and Burn for the sole and only  
 "purpose of intimidating this affiant and of forcing him  
 "to testify as said Heney, Langdon and Burns desired, and as  
 "they stated to affiant that they desired, and for no other  
 "purpose.

"That before this affiant agreed with said Heney,  
 "Langdon and Burns, that in consideration of complete immu-  
 "nity promised and pledged to him.....That he, affiant,  
 "would make disclosure of all he knew concerning the so-called  
 "graft cases in San Francisco, he, affiant, did, in the presence  
 "of Dr. Kaplan say to said Burns .....that if the affiant  
 "told the truth relative to the same it might not be satis-  
 "factory to the prosecution, or it might be claimed by them  
 "that it was not satisfactory.....even though affiant's





"statements might be the truth and the whole truth and  
"nothing but the truth; said Burns in the presence of  
"Dr. Kaplan repeated to affiant that no question of that  
"kind would ever be raised, and later said to this affiant,  
"in the presence of Dr. Kaplan, that he had reported the said  
"objection of affiant to Langdon and Meney, and that Langdon  
"and Meney had confirmed Burn's statement, and authorized him  
"to say to the affiant that no such question would ever be  
"raised.

"Thereafter affiant accepted the promise and agreement  
"of complete immunity, as stated in affiant's former and in  
"this affidavit.

"Thereupon the District Attorney and Assistant District  
"Attorney Meney, instructed this affiant to make to said W. J.  
"Burns, as their representative, whatever statements or dis-  
"closures this affiant might have to make under the said  
"promises and agreement of immunity relative to said graft  
"cases.

"Thereupon and immediately after accepting said  
"agreement of immunity and under its protection and in pur-  
"sueance of the same, this affiant declared his readiness to  
"state to the prosecution and to said Meney and Langdon and the  
"said Burns as their representative, the whole truth about all  
"of said matters; said Burns thereupon stated to this affiant  
"that the prosecution first desired to obtain from him the facts  
"relative to the matter of the United Railroads, stating at  
"the same time that that was the first and most important matter  
"that the prosecution desired information about. Affiant then  
"relying (as he now relies upon the said contract of immunity,  
"in making this affidavit) upon the said promises, representations  
"and agreements of immunity did state to said Burns the truth  
"and the whole truth concerning any relation or connection there-  
"with on the part of any person connected with the United  
"Railroads, and affiant did then and there say to said Burns, and  
"did thereafter say to said Burns, and always stated to said  
"Burns, that Thornevell Mullally, one of the persons indicted  
"with this affiant, had never spoken to affiant, or affiant to  
"Mullally, at any time or place, concerning the said United Rail-  
"road matter, and that said Mullally had never spoken to affiant,  
"or affiant to said Mullally, at any time or place relative to the  
"passage of the ordinance referred to in the indictments \$10 to  
"\$25, both inclusive, and that the affiant never communicated  
"with him directly or indirectly upon said subject matter, nor  
"did said Mullally with this affiant; nor was there any communi-  
"cation, correspondence or talk between said Mullally and this  
"affiant at any time or place concerning said matter or in connec-  
"tion therewith, nor, so far as this affiant knew, had he ever  
"spoken to any supervisor or any other person concerning said  
"United Railroad matter, to-wit, said trolley permit. Affiant  
"states that this is the truth, and the whole truth, and this  
"affiant has never at any time stated otherwise.

"Affiant further says that at all times he stated in  
"substance and effect to the said Burns and the prosecution the  
"same concerning William A. Abbott, who is jointly indicted with  
"affiant herein, and that afterwards he was interrogated by  
"Burns and Meney and Langdon concerneng said Mullally, Abbott,  
"Patrick Calhoun and Percy L. Ford, all of whom are jointly in-  
"dicted with this affiant in cases \$10 to \$25, and affiant did





"state to said Burns, Heney and Langdon that he had never spoken to the said Abbott, or Abbott to him, about the United Railroad matter, referred to in said indictments, nor did the said Abbott communicate to or speak to affiant, or to anyone else, so far as this affiant's knowledge went, relative to said matter, or in connection therewith; nor had he ever spoken or communicated with any supervisor or any public official relative to said matter, so far as affiant knows, and affiant has never at any time stated otherwise, and the same was and is the whole truth.

"That relative to said Calhoun and said Ford, this affiant relying upon the said immunity contract, promises and assurances, did state to said Burns, Heney and said Langdon that he, affiant, never received any money at any time from Tirey L. Ford, or Patrick Calhoun, or the United Railroads for the purpose of bribing, or giving or paying, or offering to pay, or promising to pay any supervisor or public official, and frequently so stated to the said Heney, Langdon and Burns, and that he was never promised or paid any money by Patrick Calhoun, Tirey L. Ford, or the United Railroads, or any representative thereof, for the purpose of bribing, or giving, or paying, or offering to pay or promising to pay any supervisor or public official, and the same was and is the truth.

and affiant further says that neither Tirey L. Ford nor Patrick Calhoun ever spoke to this affiant about or told this affiant that they or either of them expected him to bribe, give, pay, or offer to pay, any money, or promised to pay any money to any public official or supervisor, and this affiant so told the said Heney, Langdon and Burns; and this affiant has never stated to the contrary, and the same was and is the truth.

"That shortly before the first trial of Tirey L. Ford, in the month of September, 1907, upon one of said indictments 810 to 823, and in said month this affiant was interrogated by said Burns as to the testimony which affiant would give upon the said Ford trial, and said Burns stated to affiant in substance and effect that the prosecution would not be satisfied with what this affiant had stated to the prosecution, unless this affiant would go further in his testimony and would state that Mr. Ford and this affiant had together discussed bribery to the Board of Supervisors, or unless this affiant should state and testify that Mr. Ford had discussed with this affiant the amount of money which should be paid to the supervisors for their vote in favor of the passage of said trolley permit. That at said time and always this affiant has stated to the said Burns, said Heney and said Langdon, that no such discussion, conversations or statements ever occurred between said Ford and this affiant, and also stated to said Heney, Langdon and Burns that there never was any conversation between this affiant and said Ford, or between this affiant and said Calhoun, or between this affiant and any other agent or official of the United Railroads, concerning the buying of any vote of any supervisor or public official, or the payment of money or any offer to pay money to or a promise to pay any supervisor or public official, either by this affiant or by said Ford, or by said Calhoun, or any official of the United Railroads at any time.





"and this affiant further asserts that no such conversation ever occurred between this affiant and said Ford or between this affiant and said Calhoun, or between this affiant and any official or any agent of the said United Railroads.

"Affiant further states that said Burns then stated to this affiant that the prosecution insisted, and that the said prosecution were convinced, that the said Ford and said Patrick Calhoun had discussed with this affiant the matter of said supervisors and the amount of money which it would take to secure their votes for the passage of the trolley permit, and insisted that the said Calhoun and the said Ford had talked to this affiant about the amount of money which would be paid for buying the said permit from the Board of Supervisors, and said Burns did demand that this affiant should so testify in said Ford case.

"This affiant states that he told the said Burns at said time and to said Henny and said Langdon at other times that "no such conversation ever occurred, and this affiant states that no such conversation ever occurred between this affiant and Tiroy L. Ford, or between this affiant and Patrick Calhoun, or between this affiant or any agent or official of the United Railroads.

"That, notwithstanding this affiant's repeated assertions to the said Burns, in answer to the said demands of the said Burns for such testimony from this affiant, the said Burns made repeated requests and demands of this affiant that he should change his statement so that affiant's statement would incriminate the said Ford and Calhoun, and said Burns did repeatedly in the month of September, 1907, say to this affiant, and frequently in the presence of the Reverend Bernard A. Kaplan, in substance and effect, that the prosecution demanded of this affiant, testimony which would convict Ford and Calhoun, and did state in the presence of said Kaplan to this affiant that the statements of this affiant, if repeated to a trial jury, instead of convicting would acquit said Ford and said Calhoun, and did further state in the said month of September to this affiant that the prosecution was not giving affiant complete immunity for nothing..... Affiant repeatedly ... did say to the said Burns and to the said Langdon and Henny, and said to them frequently in the presence of Dr. Kaplan, and also in the presence of Dr. Nieto, in the month of September, 1907, that this affiant had told the truth concerning all conversations had by affiant with Patrick Calhoun and Tiroy L. Ford concerning the said matter, and further stated that what the prosecution demanded of affiant in reference to the said matters concerning said Ford and Calhoun was absolutely untrue, and this affiant asserts that they were and are untrue; and this affiant further states that he frequently stated to said Burns and said Henny and said Langdon that he could not and would not change his statements or testify to conform to the views of the prosecution with regard thereto, and that to do so would be to commit perjury, and that this affiant would not do so...

"Affiant also had similar talks in substance and effect relative to these matters with Langdon and also with Henny. Mrs. Kaplan and Nieto also had talks with Henny and Burns outside of my presence relative to what my testimony





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"would be, in which said Langdon, Honeoy and Burns (as I was  
"informed by Drs. Kaplan and Nieto, and therefore believe and  
"assert the fact to be) stated in substance and effect what I  
"have hereinbefore related, and they the said Drs. Kaplan and  
"Nieto, did communicate the said talks to me, and I did reply  
"to them, that I would not and could not change my statement,  
"or testify as the prosecution demanded relative to said Ford  
"and Calhoun, for the reason that it was not the truth....

"Then said Burns, after many efforts, found that  
"I would not testify as demanded, he was at first extremely  
"angry or apparently so, and eventually stated to me that if  
I would say, when called as a witness in the Ford trial, that  
"Ford paid me money to put the matter through the Board of  
"Supervisors" that Mr. Honeoy would be satisfied. Mr. Burns  
"also stated to me that there was not very much strain in this  
"language, and that I could safely say that, and it would please  
"Mr. Honeoy and the prosecution and be to my great interest in  
"carrying out promptly and effectually the entire immunity con-  
"tract; and I am also informed and verily believe that Mr. Burns  
"or Mr. Honeoy made practically the same statement to Drs. Nieto  
"and Kaplan.....That after I had refused all this....I was asked  
"by Burns whether I would not testify in effect that I thought  
"that Ford understood that money would be given to the Board of  
"Supervisors to pass the trolley franchise".....



(6) AFFIDAVIT OF RABBI MEITO, FILED ON FEB. 25, 1908, IN THE CASE OF "THE PEOPLE VS. CALHOUN, GULLILLY, FORD, SCOTT, BURN & COMPANY," NO. 883; MINISTERS AT TEMPLE ISRAEL; OFFERED HIM ADVISE TO FURNITURE TO JOHN JURY TO OFFER; SAVINGS ACCOUNT; BETWEEN HIM AND JOHN ISREORUCK; JOHN TOLD HIM THAT BURN HAS OFFERED HIM COMPLETE IMMUNITY, AND THAT JOHN HAS THROUGH HIS SIMILAR PROPOSITIONS AT LITON ST. FRANKLIN BURN; JOHN AGREE TO NEGOTIATE; JOHN AND BURNER AUTOMATICALLY TO MAKE PROPOSITION TO JOHN OF IMMUNITY IMMUNITY; CONFERENCE AS TO THIS AND JOHN AS APPROVED THE IMMUNITY; ABOUT TO LEAVE FOR CHARGE, MEITO, AT REQUEST OF JOHN, BRINGS IN RABBI RAPHA; AFTER THE "BURN-UP" ; FURNITURE AUTOMATICALLY JOHN AND RAPHA TO CHARGE TO JOHN A PROPOSITION OF COMPLETE IMMUNITY BURN AS CHARGE BURN FOR A LONG TIME OF "GUILTY" IN THE CRIME BURNBURN CASE; JOHN INSIST ON AUTOMATICALLY FROM THE JUDGE; ARRANGE TO MEET JOHN; AGREED TO OFFER ALL BURNER AGAINST JOHN AS LONG AS BURNER FOR IN-ELIGIBLE; THE BURNER BURNER (THE BURNER AND BURNER); THE BURNER BURNER IS JOHN FOR IN JOHN BURNER OF BURNER AND BURNER; COUNTRY OF JOHN IMMUNITY BURNER JOHN IN JOHN AND JOHN AFTER THE BURNER BURNER JOHN BURNER IN APR. 1907.

(Affidavit of Rabbi Jacob Meito filed on Feb. 25, 1908, in the Supervisor Court of the City and County of San Francisco, in the Case of "The People of the State of California vs. Patrick Calhoun, Thornwell Gullilly, Terey L. Ford, Wm. M. Abbott, Abraham Ruef and Eugene Schmitz," No. 883.)

"During the month of April, 1907, and all of April, 1907, while I was in the City and County of San Francisco which was until about the end of April, Abraham Ruef was on trial in Department No. 6 of the Superior Court of the City and County of San Francisco upon the charge of extortion; that the said trial was being conducted at the Temple Israel of which congregation and for many years previous thereto I was the minister with my office and study in the said temple, and that my duties called me to said Temple practically every day while the said trial was on.....

"One day about April, 1907.....I met Mr. W. J. Burns at my Temple.....and I advised him that I had heard that the prosecution desired Mr. Ruef to tell all that he knew, and I asked him whether he desired that I should interview Mr. Ruef about it. He answered me in the affirmative and said "He would be very glad if you would do so.".... That same evening I called upon Mr. Ruef at the place where he was detained by the Alisor on Fillmore Street near Green, and





"during the conversation talked with Mr. Ruef generally about his case.....in response to my suggestions and urgings Mr. Ruef rejected the proposition and stated to me that he had committed no offense under the law.....I left Mr. Ruef and shortly afterwards reported to Mr. W. J. Burns the result of my interview and Mr. Burns expressed to me the desire that I should continue my visits to Mr. Ruef for the purpose of inducing and urging him to make confession to the prosecution.....

"During the interview that I had with Mr. Ruef he disclosed to me the fact that Mr. Burns had made the mere request to him to tell what he knew concerning the trolley franchise and other matters, and that Mr. Burns for and on behalf of the prosecution had offered him full and complete immunity; he also advised me at that time while he was at the St. Francis Hotel that others had called upon him, Ruef, at said hotel and had there offered him complete immunity upon the authority of the prosecution, and that he had rejected the offer. I reported these conversations with Mr. Ruef from time to time to Mr. Burns.....

"I continued importuning Mr. Ruef and finally succeeded in causing him to say that he would seriously consider the matter because of the interest I was taking. I thereafter applied to Mr. Burns for leave to take Mr. Ruef to see his mother..... This interview lasted over an hour and on the way over from Mr. Ruef's father's home back to the place of Mr. Ruef's detention Mr. Ruef authorized me to say to the prosecution that if proper arrangements could be made he would accept the proposition. I thereupon immediately reported to Mr. Burns and saw him again, and a meeting was arranged to meet Mr. Henry, Mr. Langdon, Mr. Spreckels and Mr. Burns at the office of Mr. Henry at night and at nine o'clock in the evening. I went there and met Mr. Wm. H. Langdon, Mr. Francis J. Henry, Wm. J. Burns, Rudolph Spreckels, and thereafter Mr. Burns brought in Mr. Henry Leh, and a general discussion ensued. Mr. Henry and Mr. Langdon assured Mr. Leh..... that if Mr. Ruef would come through and tell what he knew that immunity in general would be granted him.

"The matter was talked over and the legal method of granting immunity was discussed among the lawyers present, and it was suggested that Mr. Ruef could be indicted upon all matters that he disclosed jointly with others and under the law; and that he could be dismissed and discharged from those indictments and that they would operate as a bar against any further prosecutions. Mr. Henry desired some slight punishment administered to Mr. Ruef, but that was not in accordance with what I knew that Mr. Ruef expected and the matter was reported back to Mr. Ruef and he rejected the proposition.....

"I was on the eve of departure for Europe and so informed Mr. Ruef and he then asked me to invite another attorney-man to be present with me so that in the event of my absence there might be someone to substantiate the statements made to me; I thereupon applied to the Rev. Dr. Kaplan and explained the situation to him, and asked him in the interest of justice to attend with me any further meetings which I might have with the prosecution, or those representing the prosecution. During all this time negotiations were still pending and I was holding interviews with Mr. Burns who stated his opinion to be that so long



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"Henry Ash, Dr. W. H. Burns and myself, and the matter and consideration thereof was thereupon discussed in detail. The law was gone into by the lawyers, and it was thereupon suggested by the prosecution that a contract should be entered, and the following points were discussed: Dr. Ash said that Dr. Ruef would require, in the event of his making any agreement with them, first that the indictments returned against him for bribery should be dismissed, and Ruef jointly indicted hereafter with other persons, so that he could come within the provisions of a section of the law which would authorize the court to dismiss as to Dr. Ruef, and the dismissal be a bar to future prosecutions. The persons representing the prosecution said they would agree to this, thereupon the question of obtaining the assurance of the judges was brought about, and Dr. Henry suggested that Dr. Ash should go with them to obtain the assurance. Dr. Ash declined so to do, and thereupon it was suggested that such assurance be obtained that night after said judges by Dr. Henry, Dr. Kaplan and myself.

"During the interview the possibility that Dr. Langdon might not be re-elected district attorney came up, and Dr. Langdon assured and stated to Dr. Kaplan, myself and Dr. Ash that in that event every indictment against Dr. Ruef would be dismissed by him, Dr. Langdon before his term of office expired.

"Thereupon, Dr. Kaplan and myself both stated to the officers of the prosecution-- Dr. Henry, Dr. Langdon, Dr. Burns and Dr. Spreckels, in the presence of Dr. Ash before going to see the judges that night, that in the event that we proceeded further in this matter and urged Dr. Ruef to accept these terms, provided we obtained these assurances from the judges, that they were to remember that we were pledging our words of honor, and our word as ministers of religion, to Dr. Ruef, that in the event of causing Dr. Ruef to comply with their requests and demands it was no longer a matter of keeping their arrangements with Dr. Ruef, but a matter of their, the prosecution, keeping their word of honor, to Dr. Kaplan and myself. Dr. Henry and Dr. Langdon assured us that their word would be kept, and authorized and told us to pledge our word to Dr. Ruef.

"Thereupon interviews were arranged for that night with Judge Lawler and Judge. Dr. Henry, Dr. Kaplan and myself went to the Temple Israel, and at about midnight of April 25th, 1907, Dr. Kaplan, myself, Dr. Henry and Dr. Burns arrived at the Temple Israel in the City and County of San Francisco, and went to the room then occupied by Judge Lawler for and as his chambers, and in the presence of myself, Dr. Kaplan and Dr. Henry, the following occurred: Dr. Henry said to Judge Lawler practically this: "We may have to ask you in certain cases which may come into this court to"---and thereupon Judge Lawler interrupted Dr. Henry, and said in effect as follows: "Gentlemen, I do not wish to know any of the particulars. It has been the practice of this Court as long as this Court had confidence in the District Attorney's office to act on all recommendations and suggestions that the District Attorney might make in the interests of justice, such recommendations being made by motion in open court."

"Thereupon Judge Lawler left the chambers, and Dr. Henry, Dr. Kaplan and myself remained and we asked Dr. Henry not being lawyers, what that meant, and Dr. Henry said that those assurances were ample and sufficient for us in the premises and





"as the prosecution desired Mr. Ruef to 'come through' that they  
"should give him absolute immunity.

"Finally Mr. Burns came to me again and said that the  
"prosecution had another plan and invited me to meet the prose-  
"cution's attorneys at the office of Mr. Heney in company with  
"Mr. Kaplan. Thereupon Mr. Kaplan and myself visited the office  
"of Mr. Heney and there met Francis J. Heney, Rudolph Spreckels  
"and William J. Burns. There the same grounds were gone over  
"again, Mr. Heney demanding some slight punishment to Mr. Ruef,  
"if only nominal, and the prosecution and Messrs. Heney, Burns  
"and Spreckels urged Dr. Kaplan and myself to go and see Mr. Ruef  
"and induce him to agree to the proposition. We waited upon Mr.  
"Ruef, and arranged an interview that night at the office of Mr.  
"Heney. At that interview Dr. Kaplan and myself were both told  
"and assured by Mr. Heney and Mr. Spreckels and Mr. Burns that  
"they bore no enmity to Mr. Ruef and that what they were after  
"were the 'higher-ups.' I believed in the assurances and state-  
"ments of the prosecution's agent and attorneys at that time  
"and the gentlemen named, and also in the propriety of the course  
"which they had mapped out, and believed that it was legally  
"correct, and with Dr. Kaplan called upon Mr. Ruef, and again  
"urged and solicited him to accept the proposition, and asked Mr.  
"Ruef, as I was requested to do by the prosecution, to place him-  
"self unreservedly in their hands.....

"Subsequently to the last mentioned interview, and on  
"the same day, Dr. Kaplan and myself called upon Mr. Ruef at his  
"temporary place of detention, No. 2849 Fillmore Street, and told  
"Mr. Ruef that we were authorized by the prosecution, by Mr. Heney,  
"by Mr. Spreckels, and by Mr. Burns, to promise him complete  
"immunity from all punishment for anything that had been or might  
"be charged against him, but that the prosecution would in view  
"of the pendency of the existing trials on one of the French rest-  
"aurant cases, insist that he (Ruef) should plead guilty to that  
"charge, but that we would guarantee him, by authority of the  
"prosecution, that he would not be punished on that plea; that  
"we were instructed not to give him any details of how this would  
"be accomplished but that he could safely trust himself to the  
"prosecution, and to us, who guaranteed this to him on behalf of  
"the prosecution. Mr. Ruef thereupon stated to us in effect,  
"Never mind, I know all the details," and subsequently told us  
"that he had received the information from W. J. Burns. Mr. Ruef  
"then stated to us that he would not accept the proposition of  
"pleading guilty, because he was not guilty, and also stated to us  
"that he would not accept any propositions which involved the  
"dismissal of any indictments, or the dismissal of any of the cases,  
"or the withdrawal of any plea, without having the assurances from  
"the judges themselves that they would confirm the agreements and  
"promises desired to be made by the prosecution in that behalf.  
"Mr. Ruef was very emphatic upon that proposition. I reported  
"these conversations to Mr. Burns, and thereupon another meeting  
"was arranged for that evening, at which Mr. Ach was requested to  
"be present, and I insisted that Mr. Langdon himself should be pre-  
"sent, at the interview in addition to Mr. Ach and Dr. Kaplan.  
"The arrangement was perfected, and we met at about 9 o'clock at  
"night at the office of Mr. Heney in the City and County of San  
"Francisco, and there were present Mr. Rudolph Spreckels, Reverend  
"Bernard Kaplan, Mr. Francis J. Heney, Mr. William H. Langdon, Mr.





"stated we could give those assurances to Mr. Ruef. We relied upon what Mr. Heney told us.

"Shortly afterwards, on the same night, and between 12 o'clock midnight of the 29th of April, 1907, and 1 o'clock A. M. of the 30th day of April, Dr. Kaplan, Mr. Heney and myself met Judge Dunne in the office of the Secretary of the Temple Israel in said Temple. Mr. Burns conducted Judge Dunne into the Secretary's room, where Mr. Heney, Dr. Kaplan, and myself were awaiting his arrival, and at that interview the following occurred: Mr. Heney said to the judge, "Judge, Ruef will plead guilty to the indictment on trial, No. 305, we may subsequently ask you to allow the plea of guilty to be withdrawn, and that of not guilty substituted, and the cases dismissed." Judge Dunne replied as follows: "I have confidence in the District Attorney's office, and will do what you ask." After that Dr. Kaplan said to Judge Dunne in the presence of myself and Mr. Heney, as follows: "Your Honor, do I understand you to say that if Mr. Ruef pleads guilty you will allow the plea to be withdrawn and the case dismissed?" To which Judge Dunne replied, -- "Yes, certainly." And thereafter, as the judge was about to leave the room, Dr. Kaplan again said to him, "Your honor, do you really mean that you will allow the plea to be withdrawn and dismiss the case?" To which Judge Dunne replied, "Yes, yes, certainly."

"After the interview just mentioned was concluded, Mr. Heney, in the hall of the Temple Israel asked Dr. Kaplan and myself to go to Mr. Ruef and assure him that we had obtained from the judges in whose courts these proceedings were pending and to whom the cases would be assigned, the necessary assurances. We thereupon asked Mr. Heney whether we were justified and whether we should upon the interviews just related give to Mr. Ruef positive and unequivocal assurances on our word of honor that the judges had given the assurances desired and that Mr. Ruef could entrust himself to the prosecution; to which Mr. Heney replied, "Yes."

"Thereupon, and immediately, Mr. W. J. Burns took Dr. Kaplan and myself to the place where Mr. Ruef was being detained and we there, in the presence of Mr. Burns, gave to Mr. Ruef our words that the assurances of the judges, desired by his attorney, had been obtained, and again in the presence of Burns, we urged, requested and demanded of Mr. Ruef that he should comply with the tentative arrangements and agree to all of its terms..... Mr. Ruef did not give us his determination that night, but I said I was going away the next morning and that I wanted his answer.....

"I called upon Mr. Ruef..... with Mr. Burns, on the morning of the 30th day of April, 1907, and there again insisted and urged that Mr. Ruef comply with this agreement within the next twenty-four hours.....

"I thereupon went to Europe. I remained away until the 5th of August, 1907..... After I returned from Europe I was called upon by Dr. Kaplan, who had in his possession jointly with Mr. Burns the written contract for immunity which had been executed during my absence abroad, and was urged by him to take over the custody of this contract jointly with Mr. Burns. A conference was had with Mr. Burns upon the matter. He expressed his approval thereof, and thereupon the contract was transferred into the joint possession of Mr. Burns and myself, and kept in a safe deposit vault in the First National Bank.".....



(c) AFFIDAVIT OF RABBI KAPLAN FILED ON FEB. 20, 1908, IN  
#823, "PEOPLE, STATE, CALHOUN, MULLALLY, FORD,  
ABBOTT, RUEF AND SCHMITZ";

MINISTER OF CHABAI SHALOME;

Nieto visited him;

CONFERENCES WITH RUEF; FOUND HIM IN STRICTEST CUSTODY  
IN A PRIVATE HOUSE, SURROUNDED BY GUARDS;

INTERCEDED WITH PARENTS AND SISTER;

RUEF OBEDIENT;

AUTHORIZED BY PROSECUTION TO OFFER RUEF COMPLETE  
IMMUNITY AND TO TELL HIM THAT SCHMITZ AND  
PUBLIC SERVICE MEN WERE READY TO COME OVER  
AND THROW HIM DOWN;

TO MAKE BOGUS PLEA OF "GUILTY" IN FRENCH RESTAURANT  
CASE;

BURNS RENEWS PROPOSITION DIRECT WITH RUEF AND PROMISES  
HIM REHABILITATION;

FORMAL CONFERENCE AND FULL DISCUSSION OF THE IMMUNITY  
AND THE WAYS AND MEANS OF PUTTING IT THROUGH;

DURNE AND LAYLOR TO BE SEEN AND FIXED;

GREATER LIBERTY TO BE GIVEN RUEF;

ARRANGE FOR MIDNIGHT MEETINGS WITH DURNE AND LAYLOR;

THE MIDNIGHT MEETINGS;

RUEF REPLETS AND MEETS THE PROSECUTION AND THE WAYS  
AND MEANS ARE ARRANGED;

RUEF PLEDGED TO SECRECY;

ARRANGE FOR BOGUS PLEA OF "GUILTY" IN FRENCH RESTAURANT  
CASE;

WRITTEN CONTRACT OF IMMUNITY DRAFTED AND DISCUSSED; RE-  
POSITED WITH BURNS AND KAPLAN; WHEN NIKTO RE-  
TURNED FROM EUROPE HE TOOK KAPLAN'S PLACE AS  
JOINT CUSTODIAN;

PROSECUTION EXPRESSED SATISFACTION WITH RUEF'S GRAND JURY  
TESTIMONY AND HIS SCHMITZ CASE TESTIMONY;

HENRY SAID HE WAS SAVING RUEF FOR CALHOUN CASE;

HENRY SUGGESTS THAT RUEF IS NO FOOL AND WILL TELL ALL  
THAT IS EXPECTED OF HIM IN CALHOUN CASE;

HOLD RUEF'S PLEA AS A CLUB OVER HIS HEAD;

(Affidavit of Rabbi M. Kaplan filed in the Superior Court in  
and for the City and County of San Francisco, on Feb. 20, 1908,  
in the case of "The People of the State of California vs  
Patrick Calhoun, Thornwell Mullally, Tيرة L. Ford, Wm. A. Abbott,  
Abraham Ruef and Eugene Schmitz," No/ 823! )

"I make this statement of facts in the interest of public jus-  
tice and for the information of the Court; I am a minister of  
religion and am at present the minister of Chabai Shalome in  
this city.

"In the month of April, 1907, the Reverend Doctor  
Jacob Nieto stated to me that at the request and by the author-  
ity of the prosecution in the "graft cases" he had called  
upon the defendant Ruef and had also visited members of his  
family in order to induce him to make disclosures of all he  
knew concerning the various "graft cases" which were then  
greatly interesting the people of San Francisco; that he,  
Doctor Nieto, had called upon me with the consent of Mr. Ruef



(c) ALLEGEDLY ON 10/10/1944, THE FOLLOWING INFORMATION WAS RECEIVED:

1. NAME: [REDACTED]

2. ADDRESS: [REDACTED]

3. OCCUPATION: [REDACTED]

4. DATE OF BIRTH: [REDACTED]

5. PLACE OF BIRTH: [REDACTED]

6. EDUCATION: [REDACTED]

7. RELIGION: [REDACTED]

8. POLITICAL OPINIONS: [REDACTED]

9. SOCIAL RECORD: [REDACTED]

10. CRIMINAL RECORD: [REDACTED]

11. OTHER INFORMATION: [REDACTED]

12. COMMENTS: [REDACTED]

13. DATE OF REPORT: [REDACTED]

14. NAME OF AGENT: [REDACTED]

15. NAME OF SUPERVISOR: [REDACTED]

16. NAME OF OFFICE: [REDACTED]

17. NAME OF CITY: [REDACTED]

18. NAME OF STATE: [REDACTED]

19. NAME OF COUNTRY: [REDACTED]

20. NAME OF AGENCY: [REDACTED]

21. NAME OF DIVISION: [REDACTED]

22. NAME OF SECTION: [REDACTED]

23. NAME OF UNIT: [REDACTED]

24. NAME OF GROUP: [REDACTED]

25. NAME OF TEAM: [REDACTED]

26. NAME OF SQUAD: [REDACTED]

27. NAME OF PLATOON: [REDACTED]

28. NAME OF COMPANY: [REDACTED]

29. NAME OF BATTALION: [REDACTED]

30. NAME OF REGIMENT: [REDACTED]

31. NAME OF BRIGADE: [REDACTED]

32. NAME OF DIVISION: [REDACTED]

33. NAME OF CORPS: [REDACTED]

34. NAME OF ARMY: [REDACTED]

35. NAME OF NAVY: [REDACTED]

36. NAME OF AIR FORCE: [REDACTED]

37. NAME OF MARINE CORPS: [REDACTED]

38. NAME OF COAST GUARD: [REDACTED]

39. NAME OF CUSTOMS: [REDACTED]

40. NAME OF BORDER POLICE: [REDACTED]

41. NAME OF INTELLIGENCE: [REDACTED]

42. NAME OF SECURITY: [REDACTED]

43. NAME OF DEFENSE: [REDACTED]

44. NAME OF OFFENSE: [REDACTED]

45. NAME OF STRATEGY: [REDACTED]

46. NAME OF TACTICS: [REDACTED]

47. NAME OF WEAPONS: [REDACTED]

"and by authority of the prosecution, knowing that I was somewhat acquainted with Mr. Ruef and his family, in order that I might in the public interest add the weight of my influence to his in the effort he was making, and also that I might, if necessary, continue in those efforts after his departure for Europe, which was scheduled for the latter part of said month of April, 1907.

"I called upon Mr. Ruef at the private house of detention at No. 2049 Fillmore Street, and found him charge of Elisor Biggy, surrounded by several guards who watched his every movement, and of whose close espionage and severe restrictions Mr. Ruef complained to me as torturing and intolerable and as affecting him seriously both physically and mentally.

"I also called at his house, upon his father and mother, and upon his sister, and I urged and implored them to use their best efforts to have him comply with the requests the prosecution had made of him, and I assured them that if he did so it would be better for him, better for them and better for the community, that he could render a great public service, save himself and save them also from the misery and suffering which they were undergoing.

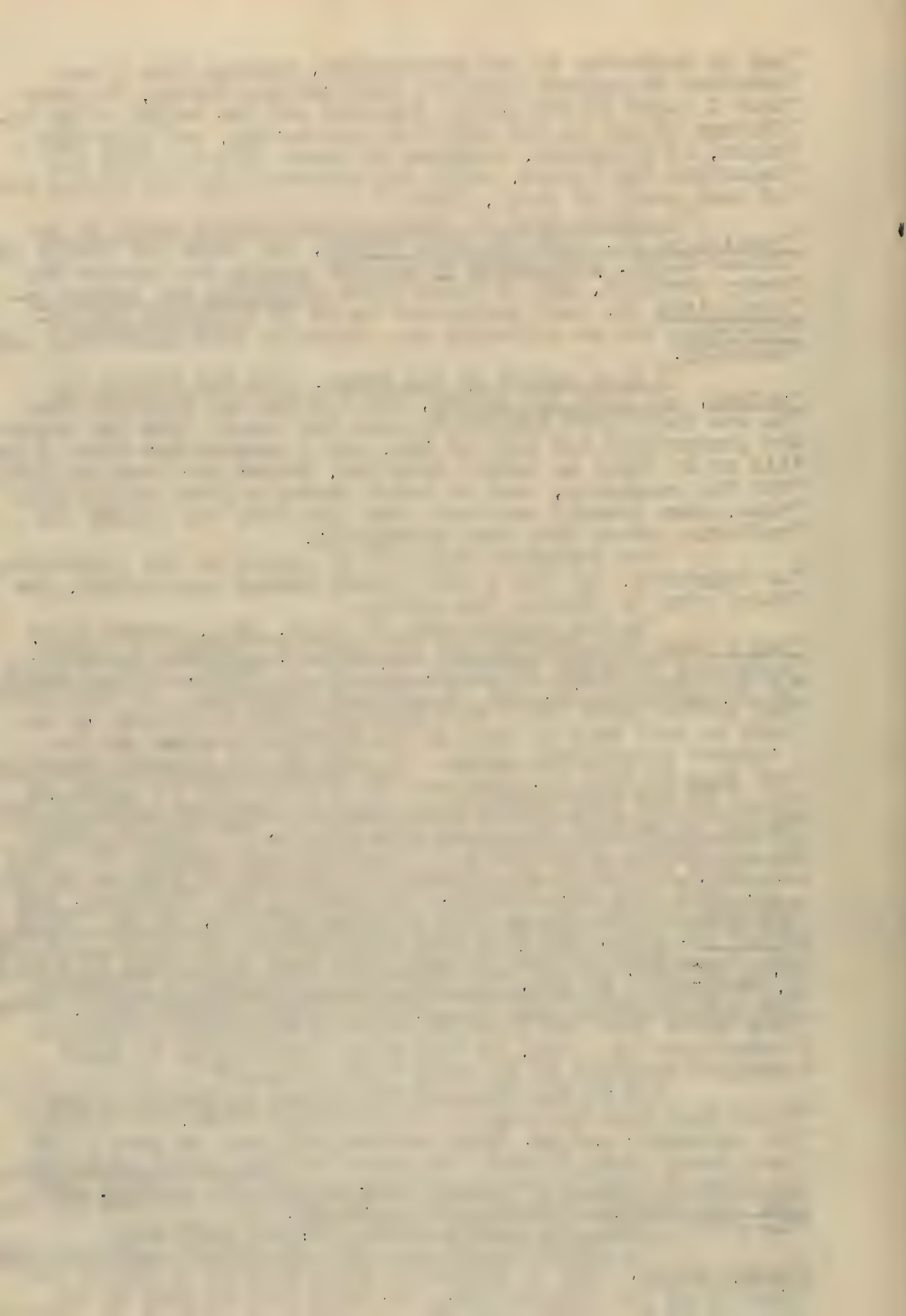
"The defendant declined to accede to the proposition as suggested, and for a time firmly though courteously, refused even to discuss the matter.

"In the latter part of April, 1907, Doctor Nieto and I were requested to and did meet Mr. Francis J. Heney, Assistant District Attorney, Mr. Wm. J. Burns, special agent of the prosecution, and Mr. Rudolph Spreckels. At this meeting Doctor Nieto and I were urged by them to prevail on Mr. Ruef to tell what he knew of the matters involved in the 'Craft' prosecution cases. We were by all present authorized and told to tell Mr. Ruef and his family that all cases in which he had been indicted or would be indicted would be dismissed as against him if he would do so, and that he would not be further prosecuted; and we were also assured and told by these gentlemen and authorized and told by them to say to Mr. Ruef that Mr. Schmitz, the mayor of San Francisco, had offered to tell all he knew of these matters, and to 'throw down' Mr. Ruef, but that they had rejected his offer, and that all the public service corporations were also ready to make a 'scape-goat' of him, but that they preferred to prosecute the men connected with the public service corporations, as they considered them the fountain heads of municipal corruption rather than Mr. Ruef, to whom they were willing to grant complete immunity if he would 'come through'.

"As to the trial of the French restaurant cases which were then in progress before Judge Lume, Mr. Heney, Mr. Spreckels and Mr. Burns assured and told us that if Mr. Ruef would 'come through' as requested they would allow him to plead guilty in that case with an absolute promise that the plea should thereafter be withdrawn and that case and all the other French restaurant cases entirely dismissed.

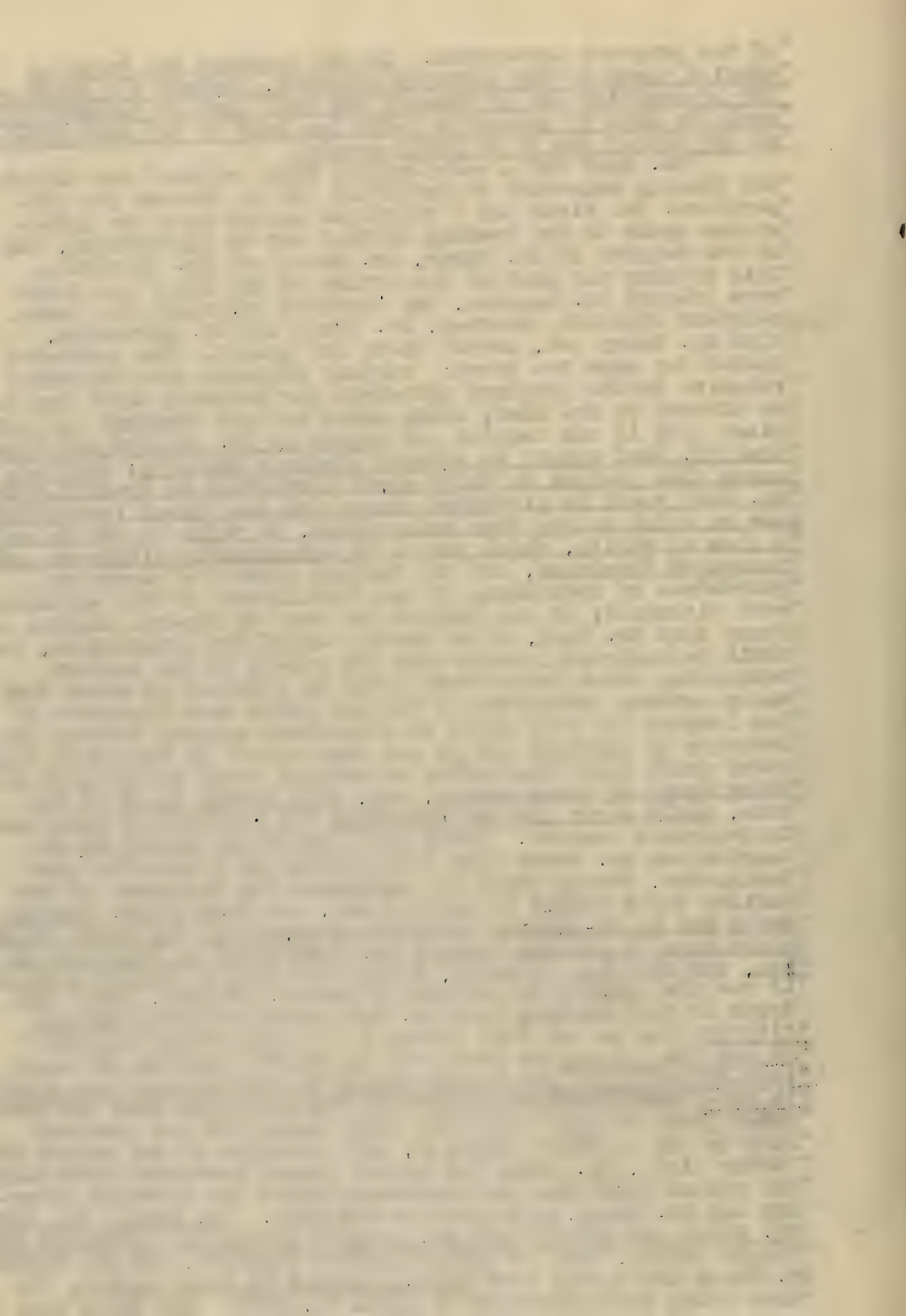
"I agreed to see Mr. Ruef and called upon him with Doctor Nieto, when we presented these matters to him as requested by the prosecution. Mr. Ruef told us that he was already in full possession of all the facts and of the details





"of the proposed agreements. In our presence Mr. Burns as  
"special agent of the District Attorney, pledged the faith of  
"the prosecution and of himself and said that an earnest effort  
"would be made to assist in restoring Ruef to the good opinion  
"of his fellow men if he would comply.

"Mr. Ruef for a considerable time resisted our efforts  
"but finally consented to entertain and to discuss the pro-  
"position. Dr. Nieto and I thereupon called upon the prose-  
"cution again on the evening of that day by appointment, and  
"at the request of Mr. Burns, Mr. Heney and Mr. Spreckels.  
"This meeting was held at the office of Mr. Heney and there  
"were present Mr. Langdon, the District Attorney; Mr. Heney,  
"Assistant District Attorney; Mr. Burns and Mr. Spreckels,  
"also Mr. Henry Ach, Doctor Nieto and myself. The interview  
"lasted for some two hours; various subjects were discussed  
"relative to the proposed agreement for immunity which was to  
"be offered to Mr. Ruef; among other matters advanced and deter-  
"mined upon it was decided and stated by Mr. Langdon and Heney  
"that Mr. Ruef should be offered complete immunity; that all  
"cases then pending or which might thereafter be brought against  
"Mr. Ruef would be dismissed except the one French restaurant  
"case on which he was then being tried, to which he was to enter  
"a plea of guilty, which was to be subsequently withdrawn and  
"thereupon dismissed, and the various methods of securing  
"guarantees of assurances of the fulfillment of this agreement  
"were discussed; it was decided and said by Messrs. Langdon and  
"Heney that Mr. Ruef, if he should accept the proposition, he  
"would be indicted jointly with the others in all matters  
"concerning which indictments would be returned in order that  
"under certain provisions of the law which were discussed by  
"the lawyers Mr. Ruef could be guaranteed against further pro-  
"secution by anybody; and it was also stated by them that all  
"cases which might thereafter be brought would be assigned to  
"Judge Dunne or Judge Lawlor, who, they stated to us at the  
"time, would carry out the agreement the prosecution might make  
"in reference thereto. It was also agreed and stated by Mr.  
"Langdon and Mr. Burns that there should be a specific time  
"designated, during which the agreement for dismissal of the  
"various cases should be carried out, and that if Mr. Langdon  
"would not be re-elected District Attorney all the cases which  
"might then be pending against Mr. Ruef would be dismissed by  
"him, the District Attorney, before his term of office expired.  
"It was also agreed and stated by Messrs. Langdon, Heney and  
"Burns at that meeting that Mr. Ruef would be given greater  
"liberty than he was then having if he would 'come through.'  
"It was also stated at that time by Messrs. Langdon and Heney  
"that Judges Dunne and Lawlor should be interviewed that night  
"in order that assurances might be obtained from them and there-  
"after given to Ruef that they would carry out the promises  
"made by the district attorney, and thereupon it was agreed that  
"Doctor Nieto, Mr. Heney and myself should interview said Judges  
"and obtain from them the assurances which the District Attor-  
"ney and Mr. Heney said could be obtained. Mr. Heney, Mr. Burns,  
"Dr. Nieto and myself left Mr. Heney's office and proceeded to  
"Temple Israel, went to Judge Lawlor's chambers, and Mr. Nieto,  
"Mr. Heney and myself were shortly joined by Judge Lawlor, the  
"time being about midnight of April 29, 1907. Mr. Heney said





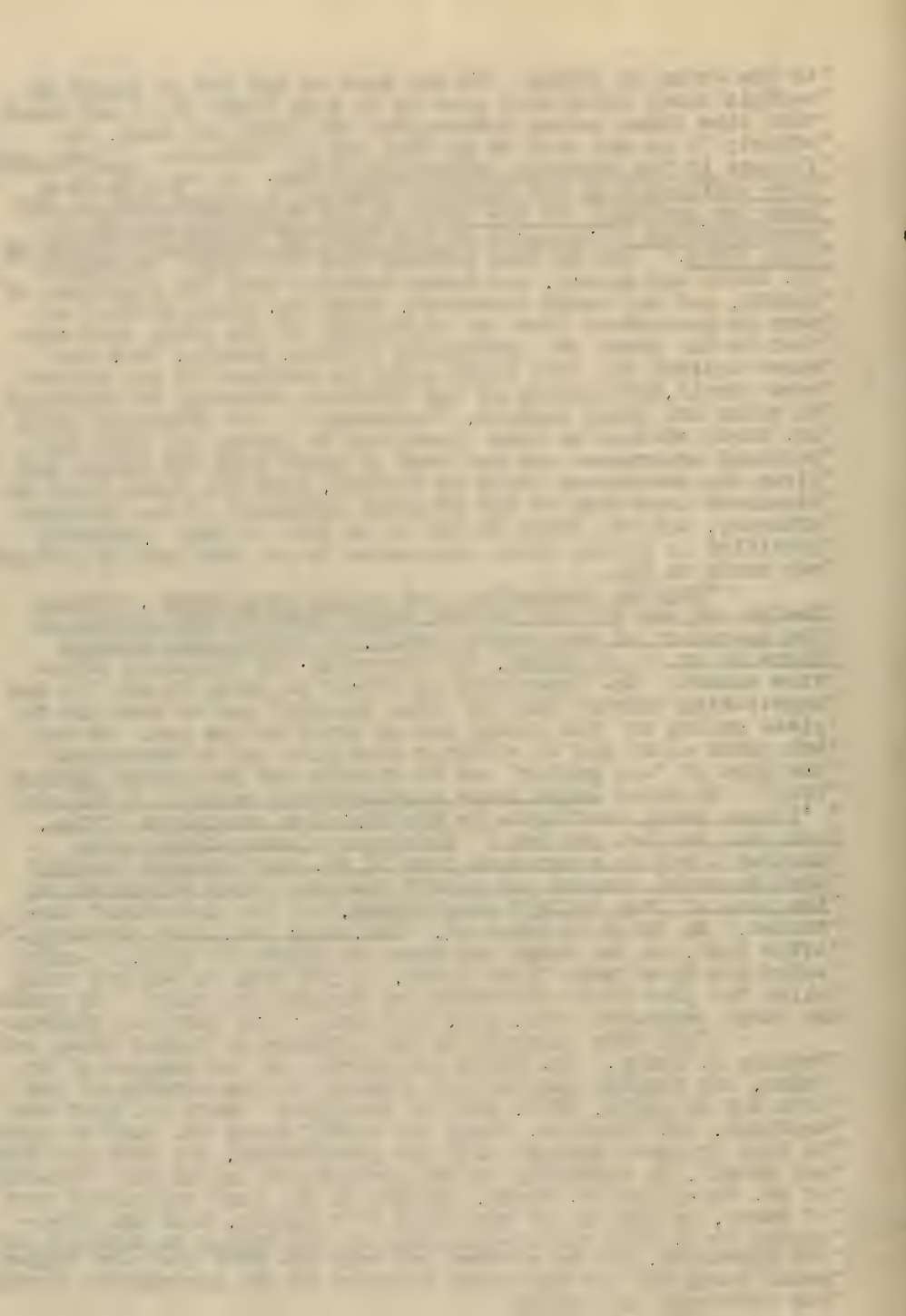
"to the Judge in effect: "We may have to ask you in regard to certain cases which will come up in your Court to--" and about that time Judge Lawlor interrupted Mr. Heney and said, in effect; "I do not wish to go into any particulars. I have confidence in the District Attorney's office, and so long as I have confidence in the District Attorney's office made it has been the practice of the Court to act favorably on any recommendations or requests of the District Attorney's office in open court." And he then retired from the room. Thereupon Dr. Nieto and myself, not being familiar with the practices of courts, and not being attorneys, asked Mr. Heney whether we were to understand from the statements of the Judge just made that he had given the assurances desired, namely, that any cases against Mr. Ruef which might be assigned to his department should, upon motion of the District Attorney, be dismissed, to which Mr. Heney replied, "Certainly." We thereupon asked Mr. Heney whether we were justified in giving Mr. Ruef our personal assurances and our word of honor that the Judges had given the assurances which he desired, that the cases would be dismissed according to the proposed agreement of the District Attorney, and Mr. Heney stated to us that we were perfectly justified in making these assurances to Mr. Ruef and in pledging our words to him.

"Shortly thereafter, and on the same night, between twelve and one o'clock, we met Judge Dune in the office of the Secretary of the Temple Israel, he having been brought there by Mr. W. J. Burns, and thereupon the following interview ensued: Mr. Heney said in effect to Judge Dune: 'We are negotiating with Mr. Ruef to 'come through' and we want him to plead guilty to the charge now on trial before you. We may ask you to allow him to withdraw that plea and to substitute the plea of 'not guilty' and to dismiss the indictment against him.'" To which Judge Dune substantially replied as follows: "I have every confidence in the District Attorney's office, and will do what you ask." Thereupon I asked Judge Dune "whether I was to understand that if Mr. Ruef pleaded 'guilty' that he would consent and permit the plea being withdrawn and the plea of 'Not Guilty' substituted, and the indictment dismissed," to which he answered, "Yes, sir; yes, sir; certainly." After that, as the Judge was about to leave the room, I again asked him in effect; "Your Honor, do you mean to say you would allow the plea to be withdrawn and dismiss the case?" To which the Judge responded, Yes, yes; certainly," and took his departure.

"All this occurred in the presence of Doctor Nieto and Francis J. Heney. Dr. Nieto and myself, in the company of Mr. Burns, and between one and two o'clock in the morning of the 30th day of April, 1907, went to the place where Mr. Ruef was confined, and there Mr. Nieto and myself urged Mr. Ruef to agree to this proposed compact with the prosecution, and both Dr. Nieto and myself, by authority of the prosecution and by the direction of Mr. Heney and Mr. Burns, pledged to Mr. Ruef our sacred word of honor, as men and as ministers of religion, that the prosecution would have the co-operation of the Judges in carrying out the agreement, and we assured and told Mr. Ruef that the Judges would carry out the agreement proposed by the prosecution through its attorneys and agents.

"Mr. Ruef did not determine that night to accede to





"Mr. desires and the desires of the prosecution. Mr. Ruef said he would consider the matter.

"I saw Mr. Ruef again the next day at about ten a.m. and he then advised me that Mr. Nieto had been there that morning and again urged him to accept the terms of the prosecution and he asserted to me that he had given his word to Dr. Nieto, but that he felt very much depressed about the matter and that he had very grave doubts as to whether the prosecution were in good faith in the matter.

"Interviews were thereupon arranged by Mr. Burns for Mr. Ruef to meet Mr. Langdon and Mr. Heney at Mr. Heney's house on Green Street, near Van Ness Avenue, to which Mr. Ruef and myself went with Ellsler Rigby and Mr. Burns, and there met Mr. Heney and Mr. Langdon. There were two such interviews on two successive nights. Mr. Ruef laid his claims before Mr. Langdon and Mr. Heney (Mr. Burns being present) and asserted that it was a gross injustice to compel him to plead guilty in a case when he was absolutely not guilty. Mr. Heney and Mr. Langdon asserted that this was part of their program and policy, and that it could not be altered, and that Mr. Ruef must take the agreement, as proposed, with the plea of guilty included therein: and when Mr. Ruef hesitated to agree to this, Mr. Heney said in substance that if Mr. Ruef left his (Heney's) house that night without agreeing to enter the plea of guilty, as requested, that he would the next morning make arrangements with the others and prosecute Ruef to the limit and without mercy, and that he would send him up for life.

"Mr. Langdon then in the presence of Mr. Heney and myself said to Mr. Ruef in substance, 'It is understood that we did not discuss with you the matter of the withdrawal of the plea of guilty, you can rely on the reverend gentlemen.'

"Mr. Heney and Mr. Langdon at that time stated that as a matter of policy connected with the trial of other cases, Mr. Ruef was to keep secret all arrangements relative to the proposed agreement for immunity, and they also requested me to keep the same a secret.

"Finally Mr. Ruef agreed to accede to the conditions demanded by the prosecution.

"In my presence Mr. Langdon and Mr. Heney stated to Mr. Ruef that all the charges which had been brought against him, so which might thereafter be brought against him, would be dismissed as against him, including the French restaurant case which was then on trial before Judge Vinne, but in that case they said he was to enter a plea of guilty, which they said would thereafter be withdrawn and a plea of not guilty substituted therefor, and the case thereupon dismissed.

"During the next few days Mr. Ruef and the prosecution were drafting a form of written agreement, which eventually resulted in the written contract of immunity which was deposited in the joint custody of William F. Burns and myself in a safe deposit vault in this city, and so held in such joint custody until after the return of Dr. Nieto from Europe, when Mr. Nieto was substituted for myself in such joint custody.



" After Mr. Ruesf had agreed to accede to the terms of the  
"prosecution, and had made his agreement with the District  
"Attorney and Mr. Heney, Mr. Burns informed me, as did also Mr.  
"Heney and Mr. Langdon, that they were satisfied with the  
"statements he had then made to them in accordance with the  
"terms of their contract with him, and after Mr. Ruesf had  
"testified before the Grand Jury, Mr. Landon, Mr. Heney and  
"and Mr. Burns stated to me that they were satisfied with the  
"testimony given before the Grand Jury, and after Mr. Ruesf  
"testified in the Corbett case they repeated to me their  
"expressions of satisfaction/.....

" Mr. Heney stated to me that he never went back on his  
"word, and that he had his reasons for not calling Mr. Ruesf as  
"a witness in the word trial, but that he could put him on the  
"stand in the Calhoun case, which was shortly to be tried, and  
"said in substance that Mr. Ruesf is no fool, and that he would  
"say all that is expected of him in the Calhoun case."

" At that time Mr. Heney said that Mr. Ruesf was withholding  
"some testimony, and asked me to get Mr. Ruesf to furnish the  
"testimony referred to.

" I further say that on occasions when I have been talking  
"to Mr. Langdon and Mr. Burns relative to their promise that  
"the plea of guilty should be withdrawn in Judge Munne's Court,  
"Mr. Langdon and Mr. Burns have stated to me that they did not  
"care to do so for the present as they were holding the plea  
"over Mr. Ruesf's head as a necessary club."





(F) TESTIMONY OF WITNESSES AT THE COURT-MARTIAL TRIAL,  
1917:

WITNESSES WHO WERE SO TO ST. FRANCIS HOTEL  
TO MAKE INVESTIGATION BY INDUSTRY TO MAKE  
AN INVESTIGATION OF OUR EDUCATION:

"I had a conversation with Ruef at the St. Francis Hotel on March the 18th or 17th, 1907. It was on a Sunday. No one else was present but Gallagher and myself. What was said in that conversation by Ruef to me and by me to Ruef and by Gallagher was, that I told him I had made a full statement to the prosecution regarding all money matters I had on the Board. Gallagher made the same statement. Ruef said to Gallagher that he would not have done that if he had been in Gallagher's place, and I said "You never can tell what you will do until you are in his place, that he was in that position now". What was said by Gallagher to Ruef and by Ruef to Gallagher in that conversation was that Ruef asked Gallagher what amounts he had stated in the matters and he told him there was no need of going into those details, that he had told them fully all the particulars that he knew what the amounts were, that there was no use in discussing that at that time, that he had made a full statement to the prosecution regarding all these matters, (2052-2056). When I said, 'He made a full statement to the prosecution regarding all these matters,' I referred to Gallagher. (2074) When Gallagher made that statement to Ruef, that he, Gallagher had made a statement to the prosecution regarding all these matters, Ruef said that Gallagher should have tried to get in touch with Ruef before doing so, and Gallagher said it was impossible to do that, that it was one of the conditions of the prosecution that he would not try in any way to reach Ruef while these negotiations were going on. Ruef further asked Gallagher the amount he had given on therolley matter and if I had stated receiving ten thousand dollars, and I told Ruef yes, I had stated the exact amount and I cannot recall Ruef's answer at this time.

"In answer to your question as to whether I remember anything further that Gallagher said to Ruef at that interview at the St. Francis, Gallagher said that Ruef should get in touch with the prosecution before ten o'clock Monday morning and Ruef said he would think it over. I cannot remember anything further. (2075-6) How I happened to go to the St. Francis Hotel to meet Ruef on that occasion was that I was telephoned for that Ruef wished to see me at the St. Francis, and I went right down to the St. Francis alone and Gallagher was talking with Ruef in the room when I arrived and Gallagher and Ruef and I remained there together possibly half or three quarters of an hour and Gallagher left first (2077-8). After Gallagher left the St. Francis that day I had a talk with Ruef and it was then that Ruef said if he had been in Gallagher's place he would not have done that, he would not have made those statements and admissions to the prosecution and I told him that you never can tell what one will do until he is placed in Gallagher's position and that we had discussed the matter fully for two or three days before he took that step. I cannot recall what, if anything, Ruef said then. (2078-9) "





(g) HENEY WILFULLY MISREPRESENTS THE FACT ABOUT RUEF'S IMMUNITY IN THE POLITICAL CAMPAIGN OF 1907, AND TO THE JURY IN SECOND FORD TRIAL.

(Affidavit of Ruef, dated March 6, 1908, filed in "People, etc., vs. Ruef," No.305:)

"Similar statements relative to said immunity to be granted to this affiant were made during the late political campaign by said Heney, and the said Heney did, in some of his campaign speeches while soliciting the election of Mayor Taylor and the re-election of William H. Langdon as District Attorney, quote from conversations alleged to have been had by him with this, affiant, which said conversations never occurred; that Heney stated in effect 'that I refused to testify in the Ford trial unless he (Heney) would agree to grane me absolute immunity and that he (Heney) had told me to go to hell'. Which conversation I do positively assert never took place, and I never did refuse to testify, but have always been, and always was, ready and willing to testify to the truth, the whole truth and nothing but the truth in all matters. Drs. Nieto and Kaplan knew that I always stood ready to testify and also knew that I never refused so to do, and that I was anxious so to do and be dismissed from said indictments, and the said gentlemen not being able to reconcile the statements and the said gentlemen not being able to reconcile the statements made by Mr. Heney during his political campaign in the fall of 1907, with the intent, called upon him and upon said Mr. Langdon and upon Burns in reference to said statements, and thereafter informed me, and said Burns told me, and said doctors and all of said three persons told me, that they were assured by Heney, and by Langdon, that political exigencies required Mr. Heney to make those statements but that the contract for immunity would be lived up to, and Burns also told Drs. Kaplan and Nieto, and also told me, that I should not worry about Heney's political statements, as they meant nothing, and I was also informed by Dr. Kaplan in the month of October, 1907, and after the first Ford trial and after Heney had made some of the statements upon the stump denying the existence of an immunity contract, that Langdon had told him that he did not approve of Mr. Heney's statements and that he (Langdon) had so stated to Mr. Heney. Mr. Langdon also personally assured me, after Mr. Heney had made the statements last referred to, in one of his political speeches in 1907, that the contract of immunity, and all agreements made by the prosecution by me would be lived up to notwithstanding anything that Heney might say, as he (Langdon) was the District Attorney and that he (Langdon) had the final say in the matter, and that said Heney had already discovered the fact that Langdon was District Attorney on two or three occasions already."

"One of the statements made by Heney during the political campaign referred to was stenographically reported and shown to the reverend doctors before mentioned, and the same was the basis of one of their interviews with Heney, Langdon and Burns. The said statement was made on November 1, 1907, at Maennerbund Hall, San Francisco. Mr. Heney in the course of an address to the electors said: 'We promised Ruef when he went before the Grand Jury that if he confessed we would give him a light sentence in the French restaurant case, but on the eve of the Ford



(Affidavit of West, dated March 8, 1908, filed in  
"People, etc., vs. Ruel," No. 308.)

"Similar statements relative to said immunity to be granted  
to this client were made during the late political campaign  
said Henry, and the said Henry did, in some of his campaign  
speeches while soliciting the election of Governor Taylor and the  
re-election of William W. Langer as District Attorney, quote  
from conversations alleged to have been had by him with this  
client, which said conversations never occurred; that Henry  
stated in effect, 'that I refused to testify in the Ford trial'  
unless he (Henry) would agree to grant me absolute immunity  
and that he (Henry) had told me to go to hell. Which conversa-  
tion I do positively assert never took place, and I never did  
refuse to testify, but have always been, and always was, ready  
and willing to testify to the truth, the whole truth and not-  
ing but the truth in all matters. Mrs. Nieto and William know  
that I always stood ready to testify and also knew that I never  
refused to do so, and that I was anxious to do so and be dismis-  
ed from said indictments, and the said gentlemen not being  
able to reconcile the statements made by Mr. Henry during his  
political campaign in the fall of 1907, with the intent, call-  
ed upon him and upon said Mr. Langer and upon Burns in rela-  
tion to said statements, and thereafter informed me, and said  
Burns told me, and said doctors and all of said three persons  
told me, that they were assured by Henry, and by Langer, that  
political expenses required Mr. Henry to make these statements  
but that the contract for immunity would be lived up to, and  
Burns also told Mrs. Kaplan and Nieto, and also told me, that  
I should not worry about Henry's political statements, as they  
meant nothing, and I was also informed by Dr. Lalan in the  
month of October, 1907, and after the first Ford trial and af-  
ter Henry had made some of the statements upon the same benching  
the existence of an immunity contract, that Langer had told  
him that he did not approve of Mr. Henry's statements and that  
he (Langer) had so stated to Mr. Henry. Mr. Langer also  
personally assured me, after Mr. Henry had made the statements  
last referred to, in one of his political speeches in 1907, that  
the contract of immunity, and all agreements made by the pro-  
secution by me would be lived up to notwithstanding anything the  
Henry might say, as he (Langer) was the District Attorney and  
that he (Langer) had the final say in the matter, and that said  
Henry had already discovered the fact that Langer was District  
Attorney on two or three occasions already."

"One of the statements made by Henry during the political  
campaign referred to was stenographically reported and shown to  
the reverend doctors before mentioned, and the same was the  
basis of one of their interviews with Henry, Langer and Burns.  
The said statement was made on November 1, 1907, at Langer-

"trial he went before the Grand Jury and said that if we did not give him full immunity on everything he would not give any testimony in the Ford or any other trial. I told him to his face to go to hell, and I promise you now that I will send him to jail." The reverend gentlemen knowing that Mr. Heney had already promised complete immunity, and knowing that it was not true that he had promised that when I went before the Grand Jury that a light sentence would be imposed upon me in the French restaurant cases, and knowing that it was not true that on the eve of the Ford trial I had gone before the Grand Jury and had said that if the prosecution did not grant me full immunity that I would not give any testimony in the Ford or any other trial, and knowing that it was not true I had at any time refused to give testimony in the Ford, or any other trial, and knowing that Mr. Heney had never told me to my face to go to hell, as he had stated before said audience, and not comprehending, or understanding how a certain official of the City and County of San Francisco could deliberately make these false statements, and not being able themselves to justify said statements either upon the ground of political or any other exegency, they were very much wrought up and perturbed, and they did therefore deem it necessary, and did declare it to be their duty to obtain some explanation thereof, and further assurance from the prosecution in order to preserve the sanctity of their own pledges and promises theretofore given to me on the strength of, and based upon, and assurances, promises and statements of the said Heney, Langdon and Burns to them, and they therefore did call upon said Heney, Langdon and Burns, as they advised me that they did, and obtained from them, and all of them, reassurances and additional statements that the former and existing agreements both oral and written, which had been entered into with me by the prosecution, would be fully kept, and from said Langdon they did receive the assurance and statement and promise of said Langdon that he repudiated and did not approve of said Heney's said utterances, and that he (said Langdon) said that said agreements with him would be fully kept and carried out."

"During the second Ford trial before Judge Lawlor I was informed that Mr. Heney had made some statement to the Jury to the effect, in substance, that Mr. Ruef had not been called as a witness in that case, because the prosecution would not grant him, full immunity, as he demanded, and during the political campaign, prior to the last election in November, 1907, I was informed that Mr. Heney was making statements of similar import to the public in his political speeches, and being surprised at these statements in the face of the contract, which I knew to exist, I spoke to Mr. Langdon and Mr. Burns about them, and Mr. Burns informed me that these statements were made in excitement, and that they meant no harm, Mr. Langdon informing me at the same time that he did not approve of Mr. Heney's language, and that he had called his attention to it, and Mr. Langdon and Mr. Burns said to me that the statements of Mr. Heney did not represent Mr. Langdon's position, and that the contract with Mr. Ruef would be fully carried out." (Affidavit of Bernard M. Kaplan, filed on February 20th, 1908, in the case of the People vs. Calhoun, Mullally, Ford, Abbott, Ruef and Schmitz, No. 823.)





(San Francisco "Examiner", Jan. 19, 1908:)

"London, a Statement to the Public, Declares All Overtures  
"Are Off. Former Boss Will Be Arraigned To-morrow. Date for  
"Trial on Extortion Charges to be Set; Millions Rack Case.  
"Appellate Opinion To Go To Supreme Court. Everything is off  
Between the Graft Prosecution and Abe Ruef so far as extending  
"his immunity is concerned. In a formal statement given out last  
"night District Attorney William F. London declared that the  
"original immunity contract granted to Ruef, May 8, 1907, had  
"been annulled and that his case on indictment No. 305 charging  
"him with extortion in the French restaurant cases, would be  
"set for trial before Judge Lawlor to-morrow. London reaffirms  
"out in his statement that the original immunity contract was  
"granted to Ruef before the latter pleaded guilty on this in-  
"dictment. Eugene Schultz was also tried and convicted on this in-  
"dictment, which has since been declared insufficient in the much  
"discussed decision since handed down by the Appellate Court.  
"To Go To Supreme Court." . . . . .

"In his cell out at the County Jail last night Ruef evinced  
"great interest in the statement given out by London. 'I  
"have nothing to say now' said Ruef, 'but when I do talk I be-  
"lieve I will have some very interesting things to speak about.  
"I cannot be induced to say it myself further at this time. The  
"prosecution evidently knows what it is doing.' The statement  
"given out by District Attorney London is as follows:  
"Since the recent decision of the District Court of Appeal in  
"the Schultz Case, holding that levying blackmail on French rest-  
"aurants does not constitute the crime of extortion under the laws  
"of California, many statements have appeared in the press about  
"alleged negotiations between the District Attorney and Abraham  
"Ruef looking toward a contract of immunity in his behalf. I  
"desire to say that since that decision no new agreement or con-  
"tract of any kind has been made. A written agreement was made  
"with Ruef in May of last year before he pleaded guilty to the  
"indictment No. 305, charging him with extortion in one of the  
"restaurant cases. This is the same indictment in which Schultz  
"was jointly charged with Ruef in the case just decided on appeal.  
"A separate trial was demanded by Schultz, and the District  
"Court of Appeal has now decided in the Schultz branch of the  
"case that the crime to which Ruef pleaded guilty was no crime  
"at all.  
"Discussions with Ruef. The discussions between Ruef and myself  
"the past week had reference to whether or not Ruef had fulfilled  
"the agreement on his part and whether the agreement, so far as  
"it required anything to be done by the District Attorney was  
"such that it could be carried out completely under the law or  
"without the concurrence of the trial judges. Some time prior to  
"the execution of this agreement Dr. Nieto and Dr. Farlan, accom-  
"panied Francis J. Heney, called on Judge Dunne and Judge Lawlor



[illegible]

1. The first of these is the fact that the Government has not been able to secure the necessary funds to carry out its policy of non-alignment. This is due to the fact that the Government has not been able to secure the necessary funds to carry out its policy of non-alignment.

TO THE HONORABLE SECRETARY OF THE ARMY, WASHINGTON, D. C.

SIR:

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the matter of the proposed purchase of the land at the mouth of the River, and in reply to inform you that the same has been referred to the proper authorities for their consideration.

I am, Sir, very respectfully,  
Your obedient servant,  
J. M. [Signature]

"separately concerning applications by the District Attorney  
"for clemency to offenders who became witnesses for the State.  
"In the agreement with Ruef it will be noticed that the indictment No. 30, in which Schweitz was charged by the District Court  
"of appeals and to which Ruef pleaded guilty, is specifically  
"mentioned. This contract should be read in the light of conditions which existed last May, when it was made. Cases cannot be  
"won and criminals cannot be punished unless legal evidence is  
"produced in court and it is the history of municipal graft and  
"bribery in this country that only by giving immunity is some  
"cases and convictions be secured in the remaining cases, and thus  
"the greater public good subserved and public justice maintained.  
"Contract is Annulled. But for good and sufficient reasons this  
"contract has been annulled and is now at an end. It has been  
"kept on my part. Ruef's case will be set for trial to-morrow,  
"today, in Judge Lawlor's court."

"Appended to the statement is the full text of the original  
"immunity contract extended to Ruef, which is published in full  
"elsewhere in 'The Examiner' this morning. District Attorney  
"Langdon would say nothing last night in addition to the facts  
"he set forth in the statement, explaining that he believed it  
"constituted a full exposition of the events which led to the  
"determination on his part to declare the immunity contract extended to Ruef annulled. The action of Langdon in declaring  
"this contract off brought to a climax one of the most intense  
"weeks in the history of the graft prosecution. Arouses much  
"interest. Since the Appellate Court handed down its decision  
"exculpating Ruef and Schweitz of the charges made against them  
"in the indictments returned in the French restaurant cases,  
"Ruef has been holding daily conferences with the members of the  
"graft prosecution in an effort to secure an absolute immunity  
"contract. These conferences had been followed with the closest  
"interest by every one watching the developments of the graft  
"inquiry and had spun into new shape nearly every popular impression  
"that had been entertained concerning Ruef's chances  
"of escaping further trial. Reports concerning the outcome of  
"the conferences reached definite formation early in the week,  
"when it was declared that Langdon stood ready to grant complete  
"immunity to Ruef in consideration of his willingness to testify  
"against Patrick Calhoun and some of the other big corporation men under indictment on bribery charges. Superior Court  
"Judge Dunne confirmed this impression of the attitude of the  
"prosecution the following day, when he came out in a public  
"statement declaring that he had refused to consent to overtures  
"for immunity Ruef made to him by Langdon. Judge Dunne took the  
"position that as a trial judge he could not consistently abet  
"a movement to extend clemency to a man who had confessed to a  
"felony. He has since adhered to this decision, declaring only  
"yesterday that no influence could be brought to bear on him to  
"make him recede from his position. Langdon, prior to the statement he gave out last night, had made an inflexible silence  
"concerning his negotiations with Ruef. So had Special Agent  
"William Burns and other members of the graft prosecution. Ruef  
"professes indifference. As for Ruef, he has all along professed  
"to be indifferent to the result of the negotiations. Ruef,  
"in fact, has acted throughout the negotiations as though he considered he had the whip hand. During the second conference he





"had with Langdon and Burns, Ruef was cautioned by the District Attorney that there were still other indictments against him. "In addition to the ones voided by the decision of the Appellate Court. 'I'll have influential friends to help me fight them' "was his answer to the threat. 'They'll be in San Quentin with you,' reminded Burns. 'I'll still have their company over there' "replied Ruef. Ruef has maintained this same attitude since "the Appellate Court has come to his assistance. In fact, the "members of the prosecution have conceded that he has been the "most defiant defendant they have ever had to deal with. Judge "Donne's refusal to come to the assistance of the prosecution "in any plan which included the extension of immunity to Ruef "led the members of the District Attorney's office to essay "many new plans to obtain their object by a round about course "during the past week. Unusual interest was attached to these "latest plans, which was being discussed yesterday. This plan "was said to have been inspired by Ruef himself, and was declar- "ed to consist of having Governor Gillette agree to pardon Ruef, "who would consent to go to trial on one of the French restan- "rant indictments. Agents of the prosecution were declared to "be in conference with the Governor on this subject in Sacramento "yesterday, but no official verification could be obtained to "the reports that blew about concerning them. A few specula- "tive followers of the progress of the craft prosecution still "believe, however, that there may be much in these reports.

"Webb May Take Action. Attorney-General U.S. Webb has announc- "ed that he may carry the decision of the Appellate Court to "the Supreme Court for review at the expiration of thirty days "if the District Attorney's office has not taken action by that "time. Webb explains that he will be guided solely by public "welfare in the matter and will take no action unless he be- "lieves it to be absolutely necessary. Beginning today, with "everything considered, Ruef will occupy almost as interesting "a position as he occupied before he plead guilty to the extort- "ion charge in the Temple Sharith Israel last year."





(1) PROSECUTIONS MAINTAINED THAT JOHN ABRAHAMSON  
WAS, ONLY AUTHORIZED DELEGATE, CALLED  
AND THAT HE WAS THE ONLY PERSON AUTHORIZED  
TO MAKE THE OFFER.

"We don't expect to prove to you that Mr. Ford  
personally made this offer to Mr. Lonergan personally,  
but we do expect to prove to you that this offer was made  
to Lonergan by supervisor Wilson and that supervisor Wilson  
was authorized to make the offer by supervisor Gallagher,  
and that Gallagher was authorized to make the offer to  
Lonergan and to each of the other members of the Board of  
Supervisors by Abraham Ruff and that Ruff was authorized  
to make the offer by Percy L. Ford." (opening statement  
of Hedy at First Ford trial No. 817 on Sept. 25, 1937,  
p. 2)

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## CHAPTER VI.

THE SCHMITZ CASE: THE PROSECUTION'S  
CONSPIRACY WITH RUEF IN FULL MOTION.  
THE IMMUNITY PACT PROTECTED BY THE  
COURT AND PROSECUTION. THE MIDNIGHT  
DEAL ENACTED IN OPEN COURT IN UNPAR-  
ALLELED DEFIANCE OF THE LAW.









## CHAPTER VI.

THE UNITED CASE; THE INVESTIGATION'S  
COMPLAINT. WHY WAS IT SOLELY FOR THE  
THE ALLEGED FACTS PRESENTED BY THE  
COURT AND INVESTIGATION. THE VIOLENCE  
WAS STATED IN OPEN COURT IN ORDER  
ALLEGED VIOLATION OF THE LAW.





INDEX OF LEADING ITEMS:

THE SCHMITZ CASE:

- (a) TRIAL BEGINS ON MAY 22, 1907, and THE TAKING OF TESTIMONY STARTS ON JUNE 5, 1907;  
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NO PROSECUTION GIVEN BY THE COURT FOR SCHMITZ AS A WITNESS, BUT RUFF SHIELDED AGAINST ALL REVELATIONS;  
(b) HOW THE COURT PROCEEDINGS IN THE SCHMITZ TRIAL WERE FRAUD UP REVEALED.



THE SCHMITZ CASE:

(d) TRIAL BEING ON MAY 22, 1907, AND THE TAKING OF TESTIMONY STARTING ON JUNE 5, 1907;  
JUNE 11, 1907, RUEF CALLED AS A WITNESS BY THE PROSECUTION;  
THE APPELLATE COURT MADE A FUNDAMENTAL ERROR IN THE TRI-  
FARLY CONSPIRACY BETWEEN JUDGE DUNNE, THE PROSECUTION ATTORNEY,  
AND RUEF, WHICH WAS FOUNDED ON EVIDENCE FROM EXAMINATION  
OF SCHMITZ;  
RUEF PROSECUTED ALL CASES FOR THE PURPOSE OF AVOIDING PROPER  
CROSS-EXAMINATION;  
COURT WON'T LET HIM TELL IF HE DEMANDED COMPLETE IMMUNITY;  
COURT WON'T LET HIM TELL WHY HE CHARGED HIS FIRM TO  
"IMMUNITY";  
COURT WON'T ALLOW HIM TO BE INTERROGATED ABOUT VERIFIED  
ANSWERS PREVIOUSLY FILED WHICH DENIED THE COMMISSION  
OF ANY CRIME;  
COURT MADE ONE INQUIRY AS TO ANY PREVIOUS UNLAWFUL DEALINGS  
WITH SCHMITZ ABOUT DIVIDING FEES;  
INQUIRY AS TO IMMUNITY BARRIED;  
"ERRONEOUS AND HIGHLY PREJUDICIAL RULINGS" SAYS THE UPPER  
COURT;  
NO PROTECTION GIVEN BY THE COURT FOR SCHMITZ AS A WITNESS,  
BUT RUEF SHIELDED AGAINST ALL REVELATIONS.

"On May 22, 1907, the trial of Eugene E. Schmitz  
upon the charge of extortion in act on Criminal #205  
was begun before Hon. Frank H. Dunne in Dept. #4 of the  
Superior Court of the city and county of San Francisco,  
State of California (Transcript on Appeal, The People,  
Respondent, vs. Eugene E. Schmitz, Appellant, Crim. #115,  
The District Court of Appeal, folio 41).

"The taking of testimony in said trial commenced on  
June 5, 1907 (ditto Transcript of Appeal, folio 207, 8).

"On June 11, 1907, Abraham Ruef was called as a  
witness in said case by the Prosecution in rebuttal  
and testified (ditto Transcript on Appeal, folio 238).

"The abandoned manner in which was here carried out  
the criminal bargain to suppress the deal with Ruef and  
his immunity, is best told in the language of the Court  
of Appeals in passing upon that infamous proceeding. We  
quote from Peo. vs. Schmitz, 7 Cal. App. Rep., 1361-4: 'The  
'Prosecution, under the claim that it was rebuttal, called  
'for the first time the witness Ruef, who was allowed, un-  
'der defendant's objection and exception, to testify that  
'about January or February, 1906, he gave to defendant at  
'one time \$2,500 and at another \$1,4500 in currency, at  
'the same time stating to defendant that it was part of  
'the money he, the witness, had received from the French  
'restaurants as a fee under his agreement with them, and  
'that if defendant would receive it he would be glad to  
'pay it to him, and that defendant did receive it.

"The evidence could not possibly have been rebuttal  
except for the purpose of contradicting the statement  
elicited from defendant on cross-examination; and as we



(A) The Commission on the Status of Women, established in 1946, was the first international body to deal with the status of women. It was created by the Economic and Social Council of the United Nations. The Commission's mandate was to study the status of women in all countries and to make recommendations to the United Nations on ways to improve it. The Commission has since held several sessions and has produced a number of reports and recommendations. It has also been instrumental in the development of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which was adopted by the United Nations General Assembly in 1979. CEDAW is the only international treaty that deals specifically with the rights of women. It has been ratified by over 100 countries and is considered one of the most important instruments for the advancement of women's rights. The Commission continues to work on issues related to the status of women and to promote the implementation of CEDAW. It has also been involved in the development of other international instruments, such as the Declaration on the Elimination of Violence Against Women (DEVAW) and the Beijing Declaration and Platform for Action (BPDA).

The Commission on the Status of Women, established in 1946, was the first international body to deal with the status of women. It was created by the Economic and Social Council of the United Nations. The Commission's mandate was to study the status of women in all countries and to make recommendations to the United Nations on ways to improve it. The Commission has since held several sessions and has produced a number of reports and recommendations. It has also been instrumental in the development of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which was adopted by the United Nations General Assembly in 1979. CEDAW is the only international treaty that deals specifically with the rights of women. It has been ratified by over 100 countries and is considered one of the most important instruments for the advancement of women's rights. The Commission continues to work on issues related to the status of women and to promote the implementation of CEDAW. It has also been involved in the development of other international instruments, such as the Declaration on the Elimination of Violence Against Women (DEVAW) and the Beijing Declaration and Platform for Action (BPDA).

"have already held that such cross-examination was erroneous, it is not necessary to discuss the question in this regard further.

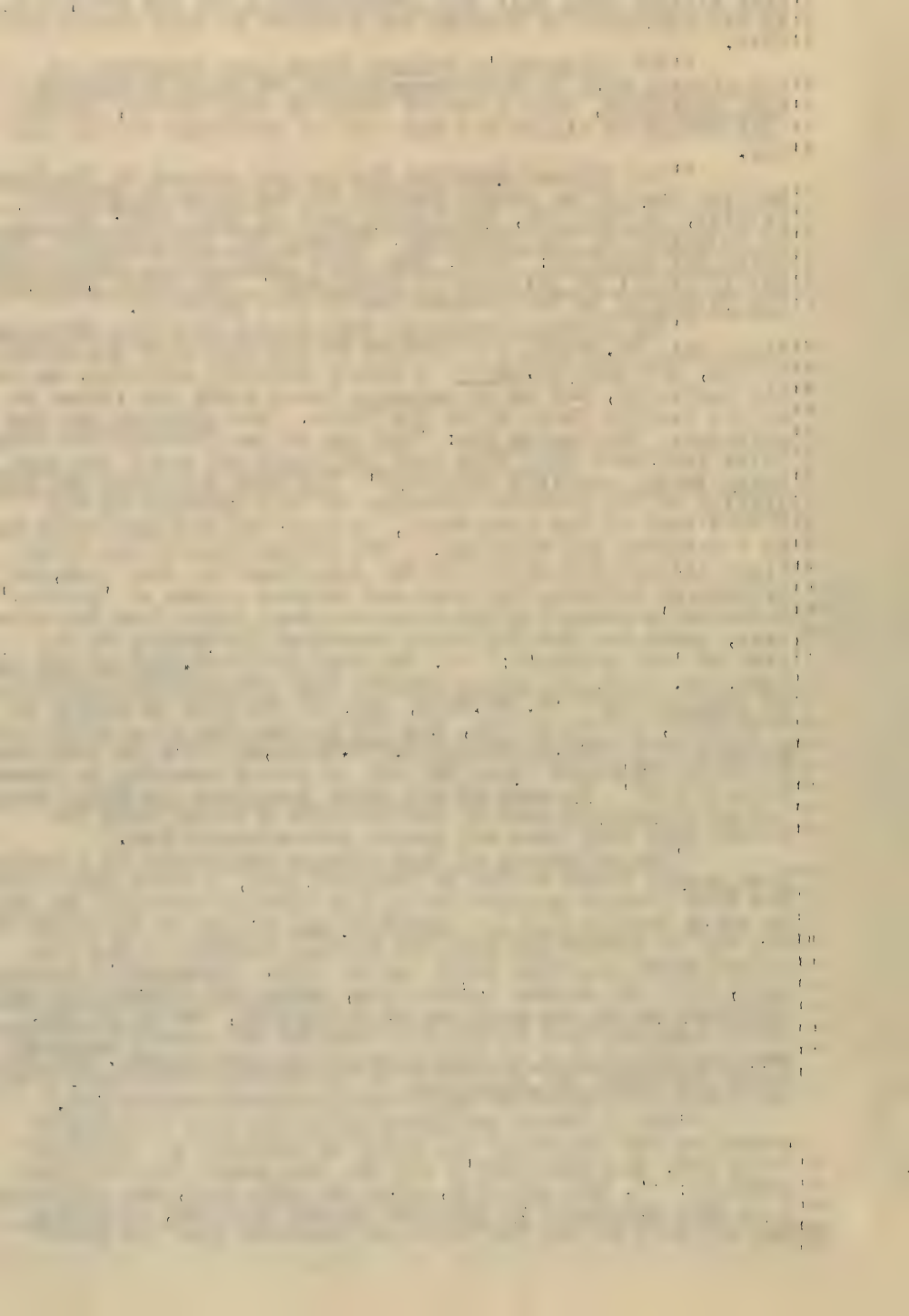
"The defendant's counsel asked many questions of the witness Ruef in cross-examination, to which objections were sustained, only a few of which we will notice, as they are enough to illustrate the view we entertain of the ruling.

"The witness admitted that he had stated to the Prosecution that if he should testify to the facts in all their details, as they are, the larger part of them would in his judgment be favorable to the defendant. Counsel for the defendant then asked the question: 'Well, what were those facts, state them now in detail in relation to this case?' The Court sustained the objection of the prosecution to this question.

"The witness testified that he had had any conversations with Mr. Burns, a detective in the employ of the prosecution, and with Mr. Heney, a deputy district attorney, as to his testimony, and as to leniency being shown him in case he should testify fully as to the facts. The attorney for the defendant then asked him: 'Did you at any conversation with these gentlemen tell them that you would not stand for anything except complete immunity?' The Court sustained the objection of the district attorney to this question on the ground that it was irrelevant, incompetent and immaterial and no foundation had been laid. The witness had in the first place pleaded not guilty to the indictment in this case, but afterwards withdrew his plea and entered a plea of 'guilty.' Defendant's counsel after eliciting such facts from the witness, asked him the following questions (referring to his plea of 'not guilty'): 'Q. Was that true?' 'Q. What do you mean then, Mr. Ruef, by that statement that you were not guilty of this charge?' 'Q. Mr. Ruef, why, if you were not guilty in this case, as you stated, did you change your plea after you had had your conversation with Mr. Burns, in which he told you he would do all he could for you to secure leniency in these indictments?' To each of the above questions the Court sustained objections made by the district attorney upon the ground that they were not proper cross-examination.

"The attention of this witness was called to a verified answer filed by him in November, 1906, a civil suit which had been brought against him by the district attorney, in which he swore that he had not committed any felony or any crime in any way in connection with the matters alleged in the complaint which had been filed against him. Defendant's counsel then, with the answer before them, asked the witness several questions as to the portions of the answer, and as to why, after swearing that he had not committed any crime, he afterward entered a plea of guilty as to the same matter. The Court again sustained the objection of the district attorney, to each and every such question as not proper cross-examination.

"The witness was asked as to the time of paying or giving to the defendant the money in currency as testified to by him, and defendant's counsel then asked the following question: 'Q. Did you have, prior to that time, any conversation with defendant in relation to any division, or giving him any part of any fee which you received from the French





"restaurant keepers?" The Court, under the objection of the Prosecution, refused to permit the witness to answer.

"Other questions were: 'Q. Mr. Ruef, did you go to the French restaurant keepers, or did they come to you?' 'Q. Did you tell the defendant in any conversation that you had ever threatened any restaurant keeper, that if they did not pay you any money their licenses would be held up?' 'Q. No. I will ask you this, Mr. Ruef, if you are not now giving your testimony under the expectation of immunity-- complete immunity?' The Court refused to permit any of these questions to be answered, and held that they were not proper cross-examination.

"These rulings were erroneous and highly prejudicial to the defendant. The witness Ruef was jointly accused of the alleged crime for which the defendant was being tried. Not only this, but he had confessed it and pleaded guilty to it. He was the party who made the contract with the proprietors of the French restaurants, and who received the money from them. After having done all these things and after having confessed himself guilty of a felony, he turned and took the witness stand against one who had been his friend-- at least his political friend. He not only confessed himself a criminal, but went upon the stand to assist in convicting his co-defendant of the alleged crime of which he had pleaded guilty. His conduct had been such that under the plain provisions of the Penal Code his evidence was branded so that the defendant could not have been convicted upon it without corroborative testimony. Then was it not fair and just to defendant, in order to investigate and arrive at the truth, that the reason, motives and surroundings, of the witness should be laid bare. He had changed his plea of 'Not guilty' to one of 'guilty' and his attitude of friendship to defendant to that of a witness aiding and assisting the prosecution.

"If he had been promised complete immunity, did not the defendant have the right to lay the fact before the jury so that they might determine the weight to give his evidence?"

"If he had, in another case, before any promise had been made to him, sworn to facts inconsistent with his present testimony, was that no concern of the defendant?"

"The jury had the right to believe the witness Ruef, but the defendant had the right to investigate every motive, every statement, every act and everything that might in any reasonable way have influenced him in his testimony, and to have the jury know this before passing its judgment.

"In such cases it is elementary that the broadest scope should be allowed in the cross-examination of the witness. It is provided in the Code of Civil Procedure, Section 1544, that the presumption that a witness speaks the truth may be 'repelled by the manner in which he testifies, by the character of his testimony, or by evidence affecting his character for truth, honesty or integrity, or his motives, or by contradictory evidence, and the jury are the exclusive judges of his credibility.' (See *Peo. v. Mitchell*, 5 Cal. App. 49 (49 Pac. 393).) It is further laid down in the Code (Civ. Code, Sec. 2061) 'that the testimony of an accomplice ought to be viewed with distrust.'





"The Court allowed the prosecution a broad range in the cross-examination of the defendant, who is protected by the statute, and who had not confessed to having committed a crime, while, on the other hand, it narrowed and confined the cross-examination of the co-conspirator, who was not protected by the statute, and who had branded himself as a felon. Such is not the policy of the law."

(b) HOW FREQUENT PROSECUTION IN THE ABOVE TRIAL CASE  
TRIALS OF DEFENDANTS:

(Affidavit of Ruef, filed in March 1908, in "People v. Ruef," No. 308; sworn to on March 6, 1909:)

"In the case of Eugene M. Schmitz, tried upon this indictment, No. 308, conditions concerning my relations with the Prosecution were about similar to the present existing conditions arose just prior to my taking the stand as a witness in said case. Under and pursuant to said agreements, promises and representations, and statements of the district attorney to me, I had stated to the prosecution, namely, to said district attorney and to said Heney and to said Burns the exact facts of the case. I had declared to them repeatedly that as I was not guilty of extortion or of any other offense on the facts in said action, and as, in fact, no extortion had been committed, I should be obliged so to testify, and that I could not and would not testify otherwise if I was called as a witness against the co-defendant Eugene M. Schmitz; and that if called to the witness stand in said case, I would be obliged to and would make a truthful statement of all the facts, which upon a proper cross-examination would demonstrate that no extortion whatever had been committed by either defendant. Strong efforts were made by said prosecution to induce me to change my proposed statements and testimony.... On the Sunday night before I took the stand as a witness in said action upon the trial of said Schmitz, said Burns came to the place of my detention at 2849 Fillmore street, with said Dr. Kaplan, and stated to me in the presence of said Dr. Kaplan, that he, said Burns, and said prosecution, including said Laydon and Heney, were now about to give me my last chance to 'make good' in this case. I told said Burns in the presence of said Dr. Kaplan that I could not say anything more than I had said; that I could not and would not change my proposed testimony-- that I had told him the whole truth and would and could state nothing but the truth if placed upon the witness stand, and that I had



"repeatedly told him that I would not change my said statement of proposed testimony, and that my said statement thereof had always been exactly the same. Said Burns thereupon declared violently and vehemently that everything was all off and that the prosecution would not keep their contracts and agreements with me, and did state to me then and there in the presence of said Dr. Kaplan that unless I changed my testimony to agree with what the prosecution wanted in said Schmitz case he, said Burns, and said prosecution would throw up the whole matter and that Judge Dunne could be asked to impose sentence upon me immediately upon my plea in said case. I stated and declared to said Burns then and there, in the presence of Dr. Kaplan that I could not add anything to my statement or change it if called upon the witness stand without committing perjury, and I then and there declared to him that he was demanding that I swear falsely, which I would not do.... Upon the next day however, Mr. Burns returned to the house and asked certain questions relative to the case. These I answered in exact accordance with what I had stated to him before, and I did give him truthful answers to said questions. Subsequently said Burns came to me at said 2549 Fillmore street, with a typewritten set of questions, which he said to me had been prepared by Mr. Heney, and he submitted them to me for immediate written answers and demanded that I should write my answers thereto... I answered said questions... These questions were, however, directed only to specific points, and were to be answered by me (so Burns stated), as nearly as possible by yes or no.... At the time of returning said questions to said Burns and delivering said answers thereto to him, I did state to said Burns that I did not believe my answers and proposed testimony, even as so written, would do the prosecution any good, because while true, it would open the doors for a full cross-examination by defendant's counsel, when all the facts would come out, and that the latter part of the case would be extremely favorable to Schmitz. Burns said to me, in the presence of Dr. Kaplan, that the prosecution would take its chances on that and would take care of the cross-examination, and that Mr. Heney did guarantee that nothing would be allowed to be brought out on cross-examination unfavorable to the prosecution. Said Burns did also state to me and did advise me, that I should not, when called to the witness stand, say anything about the written unity contract, if it could be avoided; and that, if questioned, I should not testify or say anything concerning the agreement to withdraw my plea.... I then asked Mr. Burns how, upon a proper cross-examination, he or the prosecution could expect to keep from the jury the facts relative to said agreement to withdraw my plea; he stated to me that the prosecution would attend to that; and I need not give myself any concern about that; I said to Mr. Burns in effect as follows: Judge Dunne knows all about this agreement and about the withdrawal of my plea. How could I refrain from disclosing it? He said that Heney would take care of that and that I need not worry about it; he and Heney would guarantee that it would not be brought out....

"Shortly thereafter I was called upon to testify in rebuttal of certain statements made by Schmitz on the witness stand. Before I testified Burns called upon me and stated that Heney and Langdon had sent him to me to caution me against





"disclosing anything relative to the immunity agreements and  
"withdrawal of my plea in said case, or any agreement between  
"the district attorney or the prosecution and myself; and he  
"did warn himself personally advise me if questioned, not to  
"say anything relative to said agreements and did on one oc-  
"casion, in the presence of Dr. Kaplan, request me to deny that  
"any agreement existed between the prosecution and myself with  
"reference to said plea, to which I replied and said, in the  
"presence of Dr. Kaplan, to said Burns, that I would not and  
"could not do so if properly questioned because I would tell  
"only the truth..... Burns did, in the presence of Dr. Kaplan,  
"demand that I should not volunteer any statements concerning  
"said agreement to withdraw said plea, or any agreement between  
"said prosecution and myself, and in substance and effect said  
"that where questions should be allowed to be answered that I  
"should answer strictly only to the questions propounded and  
"should not go beyond their exact letter; to which I stated  
"in substance and effect that I would answer such questions  
"truthfully and would not volunteer any answer beyond the exact  
"scope of such question.

"Thereafter when placed upon the witness stand in re-  
"buttal, as aforesaid, the written questions which had there-  
"before been presented to me as aforesaid by said Burns on  
"behalf of said Henry, were in substance propounded to me by  
"said Henry, and I made answer thereto in open court in sub-  
"stance as I had theretofore written such answers to said  
"questions, as aforesaid. The cross-examination was of such a  
"character that it did not bring out all the facts, and when  
"direct questions were asked of me by the attorneys for the  
"defendant, to which a categorical answer could not be voided,  
"which categorical answer would have disclosed material truths  
"regarding the facts of the case, and also would have dis-  
"closed the said agreements of immunity and the said agreement  
"to withdraw the plea, as aforesaid, the said assistant dis-  
"trict attorney Henry objected to said questions, and his ob-  
"jections thereto were by said Court, Judge Dunne presiding,  
"sustained."















## CHAPTER VIII.

FORD AND CALHOUN;  
HISTORY OF THEIR INDICTMENTS AND TRIALS;  
LONG RECORD OF PROSECUTION'S DENIALS OF CALHOUN'S  
CONTINUAL DEMANDS FOR A TRIAL;  
CONTINUANCE AFTER CONTINUANCE OBTAINED BY PROSECUTION;  
EXONERATED BY FOUR JURIES;  
EXONERATED BY RUEF;  
EXONERATED BY GALLAGHER;  
THE EVIDENCE AGAINST THEM A ROPE OF SAND;  
NOT A SINGLE WITNESS IN ALL THE TRIALS IMPLICATES  
EITHER OF THEM;  
THEY WANTED TO GET CALHOUN EVEN AT THE PRICE OF  
DISMISSING ALL OTHER INDICTMENTS;  
RUEF'S COMPLETE DOMINATION OF THE SUPERVISORS;  
THE PUBLIC ASPECT OF RUEF'S CONTROL OF THE BOARD  
WAS THAT HE WAS EASILY ABLE TO COMPEL THEIR ACTION  
WITHOUT THE USE OF MONEY AND WAS ACTUALLY DOING SO;  
EVERY ONE OF THE SUPERVISORS TESTIFIED THAT HE WAS  
READY TO VOTE FOR THE TROLLEY PERMIT, AND ANYTHING  
ELSE RUEF WANTED, WITHOUT MONEY.









## C H A P T E R   V I I I .

FORD AND CALHOUN;  
HISTORY OF THEIR INDICTMENTS AND TRIALS;  
LONG RECORD OF PROSECUTION'S DENIALS OF CALHOUN'S CONTINUAL  
DEMANDS FOR A TRIAL;  
CONTINUANCE AFTER CONTINUANCE OBTAINED BY PROSECUTION;  
EXONERATED BY FOUR JURIES;  
EXONERATED BY RUNY;  
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THE EVIDENCE AGAINST THEM A ROPE OF SAND;  
NOT A SINGLE WITNESS IN ALL THE TRIALS IMPLICATES EITHER OF  
THEM;  
THEY WANTED TO GET CALHOUN EVEN AT THE PRICE OF DISMISSING  
ALL OTHER INDICTMENTS;  
RUEF'S COMPLETE DOMINATION OF THE SUPERVISORS;  
THE PUBLIC ASPECT OF RUEF'S CONTROL OF THE BOARD WAS THAT  
HE WAS EASILY ABLE TO COMPEL THEIR ACTION WITHOUT THE  
USE OF MONEY AND WAS ACTUALLY DOING SO;  
EVERY ONE OF THE SUPERVISORS TESTIFIED THAT HE WAS READY  
TO VOTE FOR THE TROLLEY PERMIT, AND ANYTHING ELSE RUEF  
WANTED, WITHOUT MONEY.









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In April and May, 1907, Tiley L. Ford was placed on trial under one of the original fourteen indictments charging him with giving and offering a bribe to Coleman. This trial also resulted in a verdict of acquittal.

Just prior to the conclusion of the last mentioned trial this defendant had demanded as he had on many occasions prior thereto that his own trial should be proceeded with.

In December 1907 and after the District Attorney had stated to the Court that he would next proceed to try this defendant, the defendant had appeared with his counsel, a jury panel being in attendance, and confidently expecting that his trial would go forward but it was announced by Francis J. Heney that James L. Gallagher one of the members of said Board of Supervisors whose testimony was relied upon by the prosecution had left the State of California and was taking a trip in the Eastern part of the United States with his, Francis J. Heney, consent and that the prosecution was therefore unready to proceed to trial. This continuance was had upon the understanding that affiant would be next tried and that his trial should commence about February 1st, 1908. Affiant accordingly returned to San Francisco at the time referred to and demanded that his trial be proceeded with. The District Attorney refused to try this defendant at this time and announced that he intended to next try Abraham Ruef.

In August, September, October, November and December, 1908 the trial of Abraham Ruef was proceeded with under one of the three indictments returned in March, 1908 and charging the offering merely of a bribe to John J. Turey. Prior to the commencement of said trial this defendant appeared in said court and through his counsel again demanded that his own trial should be next proceeded with.

Shortly after the conclusion of the last mentioned trial the cases against this defendant were called and upon being answered "ready" on his behalf, as they had been answered on every occasion that they had been called, the District Attorney announced that this defendant's trial would be the next trial proceeded with and thereafter January 4th, 1909 was fixed upon by consent as the date for the beginning of said trial.

Upon January 4th, 1909 this defendant was ready to proceed with said trial and so announced himself through his counsel whereupon a continuance to January 12th, was moved for by Assistant District Attorney John O'Gara, and consented to through his counsel, on account of the absence of Francis J. Heney.

On January 12th, 1909, this defendant's trial actually commenced. It occupied from that time until June 19th, approximately five months and one week, resulting in a disagreement of the Jury, ten voting for acquittal and two for conviction at the time of their discharge."





CALHOUN AND WERE INDICTED BY THE JURY;  
 ALL BUT FOUR JUDGES OUT OF TWENTY-FIVE AFFIRMED  
 DISMISSAL FROM PROBATION AND AN OTHER WAS DENIED  
 THAT IT WAS THE SAME CASE AGAINST FOUR DEFENDANTS.  
 THE RESULT OF THE CALHOUN TRIAL, IN WHICH THE FIVE  
 STOOD THE TWO ACQUITTAL LEAVES AND SITUATION THIRTY-  
 TWO OF FORTY-EIGHT JUDGES WHO HAVE PASSED THAT THE  
 CASE AGAINST THE FORTY-TWO OF THEM, OR EIGHTY-  
 THREE AND ONE-HALF PER CENT HAVE ACQUITTED HIM  
 INNOCENT;  
 THE JUDGES OUT OF TWENTY FIVE AFFIRMED DISMISSAL  
 CALHOUN INNOCENT AND AN OTHER WAS DENIED THAT IT  
 WAS THE SAME CASE AGAINST FORTY-EIGHT THE RESULT  
 OF THE THREE FORD TRIALS IT WAS THE JUDGES WOULD  
 FORTY-FIVE PER ACQUITTAL LEAVES AND SITUATION THIRTY-  
 TWO OF FORTY-EIGHT JUDGES WHO HAVE PASSED THAT THE  
 CASE AGAINST CALHOUN FORTY-TWO OF THEM, OR EIGHTY-  
 THREE AND ONE-HALF PER CENT HAVE ACQUITTED HIM  
 INNOCENT.

(Speech of Mr. Francis J. Heney at Wolf's Hall, Plymouth  
 Avenue and Ocean View, October 5th, 1909 at 8:00 o'clock p.m.)  
 "In September we immediately put Mr. Calhoun and the  
 others that were in that crowd on trial. And there were six men  
 under indictment, Calhoun, Tirey L. Ford, Thornwell Mullally, Eugene  
 E. Schmitz, Abraham Ruef and William M. Abbott - six in the one in-  
 dictment. Now then under the common law we could have tried them to-  
 gether, and they couldn't get a separate trial, unless they could  
 show some good reason for it, that it would be unjust to try one with  
 the other. Those men were actually guilty alike; it took exactly  
the same witnesses and the same evidence to try them."

Tirey L. Ford was tried in the following cases, to wit,  
 the First Ford Trial was case #817, the Second Ford Trial was Case  
 #823 and the Third Ford Trial was Case #812.  
 Patrick Calhoun was tried in case #1436.

c)

(Hearst's Grand Jury Testimony, pp. 121-2:)  
 ABRAHAM RUEF, CALHOUN AND FORD:

"I never told a living being that I was receiving or accept-  
 ing money on any proposition to be given Supervisors, except Mr.  
 Gallagher."

(Affidavit of Abraham Ruef filed in the Superior Court,  
 Dept. 11, March 19, 1908 in the Case of "The People of the State of  
 California vs. Abraham Ruef," #823:) "That relative to said Cal-  
 houn and said Ford, this affiant, relying upon the said immunity  
 contract, promises and assurances did state to said Burns, Heney and  
 said Langdon that he, affiant, never received any money at any time  
 from Tirey L. Ford or Patrick Calhoun or the U.W. for the purpose  
 of bribing, or giving or paying, or offering to pay, or promising  
 to pay any Supervisor, or public official, and frequently so stated  
 to the said Heney, Langdon and Burns and that he was never promised





or paid any money by Patrick Calhoun, Tirey L. Ford, or the U.R. or any representative thereof, for the purpose of bribing, or giving or paying, or offering to pay or promising to pay any Supervisor or public official, and the same is the truth, and affiant further says that neither Tirey L. Ford nor Patrick Calhoun ever spoke to this affiant about or told this affiant that they or either of them expected him to bribe, give, pay or offer to pay, any money, or promise to pay any money, to any public official or supervisor, and this affiant so told the said Heney, Langdon and Burns; and this affiant has never stated to the contrary and the same was and is the truth that shortly before the first Trial of Tirey L. Ford in the month of September, 1907 upon one of said indictments 810 to 823, and in said month this affiant was interrogated by said Burns as to the testimony which affiant would give upon the said Ford trial, and said Burns stated to affiant in substance and effect that the prosecution would not be satisfied with what this affiant had stated to the prosecution, unless this affiant would go further in his testimony and would state that Mr. Ford and this affiant had together discussed bribery to the Board of Supervisors, or unless this affiant should state and testify that Mr. Ford had discussed with this affiant the amount of money which should be paid to the Supervisors for their vote in favor of the passage of said trolley permit. That at said time and always this affiant has stated to said Burns, said Heney and said Langdon, that so such discussion, conversations or statements ever occurred between said Ford and this affiant, and also stated to said Heney, Langdon and Burns that there never was any conversation between this affiant and said Ford, or between this affiant and said Calhoun, or between this affiant and any other agent or official of the U.R. concerning the buying of any vote of any supervisor or public official, or the payment of money or any offer to pay money to or a promise to pay any supervisor or public official, either by this affiant or by said Ford, or by said Calhoun, or any official of the U.R. at any time. And this affiant further asserts that no such conversation ever occurred between this affiant and said Ford or between this affiant and said Calhoun, or between this affiant and any official or any agent of the said U.R.

And affiant further states that said Burns then stated to this affiant that the prosecution insisted and that the said prosecution were convinced that the said Ford and said Patrick Calhoun had discussed with this affiant the matter of said Supervisors and the amount of money which it would take to secure their votes for the passage of a trolley permit, and insisted that the said Calhoun and the said Ford had talked to this affiant about the amount of money which would be paid for buying the said permit from the Board of Supervisors and said Burns did demand that this affiant should so testify in said Ford case. This affiant states that he told the said Burns at said time and to said Heney and said Langdon at other times that no such conversation ever occurred; and this affiant states that no such conversation ever occurred between this affiant and Tirey L. Ford, or between this affiant and Patrick Calhoun, or between this affiant and any agent or official of the U.R.

That notwithstanding this affiant's repeated assertions to the said Burns, in answer to the said demands of the said Burns for such testimony from this affiant, the said Burns made repeated requests and demands of this affiant that he should change his statement so that affiant's statement would incriminate the said Ford and Calhoun, the said Burns did repeatedly in the month of September,





1907 say to this affiant, and frequently in the presence of the Rev. Bernard M. Kaplan, in substance and effect, that the prosecution demanded, of this affiant, testimony which would convict Ford and Calhoun. And did state in the presence of Kaplan to this affiant that the statements of this affiant, if repeated to a trial jury, instead of convicting would acquit said Ford and said Calhoun.....; affiant repeatedly ... did say to said Burns and to the said Langdon and Heney .... that this affiant had told the truth concerning all of the conversations had by affiant with Patrick Calhoun and Tirey L. Ford concerning the said matter, and further stated that what the prosecution demanded of affiant in reference to the said matters concerning said Ford and Calhoun was absolutely untrue, and this affiant asserts that they were and are untrue; and this affiant further states that he frequently stated to said Burns and said Heney and said Langdon that he could not and would not change his statements or testify to conform to the views of the prosecution with regard thereto, and that to do so would be to commit perjury, and this affiant would not do so... when said Burns, after many efforts, found that I would not testify as demanded, he was at first extremely angry, or apparently so, and eventually stated to me that if I would say, when called as a witness in the Ford trial, that Ford paid me money to 'put the matter through the Board of supervisors' that Mr. Heney would be satisfied. Mr. Burns also stated to me that there was not very much strain in that language and that I could safely say, that, and it would please Mr. Heney and the prosecution ...; I told Burns and I told the Rev. Doctor Kaplan, and I told Burns in their presence, that I would not swear to a lie to convict anyone,... and would not testify as the prosecution demanded. These last conversations occurred in September, 1907."

(d) GALLAGHER'S EXAMINATION GLADSTONE AND FORD.

"I did not talk with anybody interested in the U.R." (Gallagher's Gladstone Statement, p.18d.)

"I never had any talk with anybody in regard to this money matter except Ruef." (Gallagher's Gladstone Statement p.18d.)

"Between the fire and May 14, 1906, no official or the U. R. or any person representing them, except Ruef, talked to me about the trolley matter." (Gallagher's Testimony at Calhoun Trial #1436 p.1246)





- (e) THE PROSECUTION HASTED THEIR WHOLE CASE VIRTUALLY AGAINST FORD AND CALHOUN IN ALL THE TRIALS UPON AND ATTEMPTED IDENTIFICATION OF MONKEYS THAT HAD BEEN TAKEN FROM THE UNITED STATES LIST OF VARIOUS DATES BY GENERAL FORD OR THE ORDER OF PATRICK CALHOUN, WITH CERTAIN CUMULOCY CLAIMED TO HAVE BEEN SUBSEQUENTLY RECEIVED BY THE SUPERVISORS FROM CALHOUN. THIS WAS THE SUMMER OF THEIR CASE AGAINST THEIR DEFENDENTS FROM THE BEGINNING TO THE END. SUCH AS IT WAS IT CONSTITUTED VIRTUALLY ALL OF THE EVIDENCE THE PROSECUTION EVER HAD OR CLAIMED TO HAVE INTERROGATING CALHOUN OR FORD WITH ANY ALLEGED BRIBERY IN THE PROBABLY HASTED. AND THE RECORDS OF THE TRIALS SHOW THAT THIS WAS A CASE OF HASTE.

(Full treatment of this topic will be found in Chapter 4.)

- (f) THE ATTEMPT OF THE PROSECUTION IN THE VARIOUS FORD TRIALS AND THE CALHOUN TRIAL TO PROVE WHAT ADVANCE "OFFERS" OF BRIBES WERE MADE TO THE VARIOUS SUPERVISORS IN THE PROBABLY HASTED TURNED OUT A TERRIBLE FAILURE AND WERE KNOWN TO BE PATENT FABRICATIONS.

(See full treatment of this topic in Chapter 4 hereof.)

- (g) THEY HASTED CALHOUN AND THEY HASTED HIM EVEN AT THE PRICE OF DISMISSING ALL OF THE INDICTMENTS AGAINST ALL OTHER DEFENDANTS.

That the prosecution was willing to give the immunity bath to Schmitz to get Calhoun we have seen in a previous chapter by the testimony of Gallagher as to Spreckels' conversations with him at the Presidio when the immunity for the supervisors was arranged;

That the prosecution was willing to and in fact did enter into an absolute bargain of immunity with Ruel to get Calhoun has been fully demonstrated in a previous chapter;

That the prosecution not only was willing to but in fact did give wholesale and absolute immunity to all the supervisors to reach Calhoun has been fully demonstrated in another chapter;





That the prosecution had the purpose of attempting to reach Ford, if Ford, (which was a monstrous purpose) would undertake to incriminate Calhoun appears from the speech of Mr. Francis J. Heney at Wolf's Hall, Plymouth Avenue, Ocean View on October 5, 1909, at 8 o'clock P. M. in which he spoke as follows: "Why did we try to get Ford first, instead of Calhoun first?" "Because he has a weak sister. He was used by Calhoun and I had reason to believe, and believe yet, that if we had convicted him, he would have squealed like the rest of them, and then we would have had Calhoun. That is the reason I did not try Calhoun first."

(h)

IN NONE OF THE THREE FORD TRIALS WAS IN THE HUNT  
TRIAL IN THE TROLLEY MATTER, NOR IN THE HUNT  
PROSECUTIONS ALLEGATION OF THE TROLLEY MATTER  
WAS IN THE CALHOUN TRIAL AND A SINGLE WITNESS  
WAS PRODUCED TO IMPLICATE CALHOUN OR FORD IN  
ANY ELEMENT OF THE ALLEGED TROLLEY MATTERING.

As has been shown above by a quotation from the speech delivered by Assistant District Attorney Heney, the evidence and the witnesses against each and all defendants are the same and yet the entire record of all those trials and hearings may be cited to substantiate the assertion that no matter who was on trial or what particular one of the seventeen indictments was in process of prosecution not a living being came forward to say that he knew or had any evidence that Patrick Calhoun or Firey L. Ford had authorized anyone to bribe any supervisor in the trolley matter, or had been a party thereto, or had knowledge or information either that the same had been done or was in contemplation.

[illegible][illegible]

(1) RUEF HAD AFTER CERTAIN WAYS AND MEANS BY WHICH-  
 VISION TO PASS ANY BILL WITHOUT RESORTING TO  
 BRIBERY. HE HAD GIVEN THEM THEIR DOMINATION,  
 HE HAD MADE THEM SUPERVISORS AND HAD ASSIGNED  
 THEM TO THEIR VARIOUS COMMITTEES AND THEY WERE  
 OBTAINED AND CONTROLLED BY HIM AND INTERFERED  
 READY TO DO HIS BIDDING FOR THE NEXT ELECTION;  
 THIS DOMINANCE OF THE BOARD BY RUEF WAS A MATTER OF  
 PUBLIC NOTORITY AND NO DOUBT WAS ASSUMED TO  
 BE MADE OF THE FACT THAT THEY SAUCED EVERY  
 CIVILIAN RIGHT TO INTERFERE THE ACTION OF THE BOARD  
 AT THE REGULAR MEETING ON THE FOLLOWING MONDAY  
 AND THAT AT ALL OF THESE CONFERENCES RUEF WAS THE  
 ONLY OUTSIDER WHO WAS PRESENT AND THAT AT THESE  
 CONFERENCES HE EXERCISED A CONTROLLED INFLUENCE;  
 THE PUBLIC ASPECT OF THE MATTER WAS UNMISTAKABLE  
 THAT RUEF WAS EASILY ABLE TO ACCOMPLISH ANYTHING  
 AND EVERYTHING WITH THE BOARD BY THE USE EXERCISE  
 OF THIS UNCONSIDERED INFLUENCE AND WITHOUT THE  
 USE OF FORCE;  
 RUEF COULD EXERCISE ANY DOMINATION WITHIN THE BOARD;  
 RUEF SUCCESSFULLY DID SUCCEED IN GETTING THE BOARD TO BUY  
 DOWN THE PACIFIC STATES TELEPHONE COMPANY AFTER  
 THEY HAD AGREED TO BUY IT IN VOTE AGAINST  
 THE RIVAL COMPANY;  
 SUCH WAS ALL OF THE SUPERVISORS HAVE DONE OF THOSE  
 UNDER HIM TO THEIR READINESS AND WILLINGNESS  
 TO VOTE FOR THE TRAILER TRANSMISSION WITHOUT A  
 DOLLAR IF RUEF BUT ASKED IT.

"From the time I took office in January 1905 I was  
 seeing Ruef almost daily. I visited his office very frequent-  
 ly during that year prior to the Convention and frequently dined  
 with him and spent the evening with him and discussed politics  
 with him. I frequently advised with him upon the political  
 situation and made suggestions to him concerning future con-  
 ventions and elections during that year, while he was commonly  
regarded as the political boss of San Francisco, and he fre-  
 quently asked for my judgment and advice upon the political  
 situation." (Gallagher's testimony at the 2nd Ruef Trial, #1437,  
 p.997.) "Before I was nominated in 1906 I had a number of talks  
 with Ruef in which he said he wanted me to run and if the Board  
 was elected he wanted me to be there; I ran on the Union Labor  
 ticket; Ruef told me what men he wanted to run and they were all  
 nominated and elected." (Testimony of Gallagher at Calhoun Trial,  
 #1436, pp.468-9.)

Ruef controlled the convention that gave the super-  
 visors their nominations and he named the various committees  
 of the Board. (Gallagher, 2nd Ruef Trial #1437, p.1355.)

"When Ruef showed me the list of committees before the in-  
duction of the Board into office I made a few suggestions and  
changes but not very important ones...when the list of committees  
gotten up by Ruef and Schmitz and myself before the induction of





the Board into office, were presented to the members in caucus, there were conflicting opinions and considerable discussion but the list was finally adopted as suggested, and it was decided at that caucus that Keane should be Secretary." (Gallagher's testimony at the 2d Ruef trial #1437, p. 437-41).

"Ruef had spoken to me several times about the Secretary of the Board and its importance and told me that several had applied to him and I told him that I thought Keane would be the best man and Ruef said he was consider ring him but did not say whether he would select him or not. Later on he told me he had decided on Keane and I said that I would tell the boys and I did. Ruef suggested to the members the appointment of the various clerks". (Gallagher's Testimony 2d Ruef Trial, #1437 PP. 441-5).

"In the month of December or at any rate after the election in November, 1905 there was a caucus in which the selection of committees was gone into and Ruef was present and at that meeting the personell of the committees was left to be suggested by Ruef and Schmitz; Ruef made up the list and there were some few changes in it and they were then selected by the Board." (Gallagher's Testimony at the Callahan Trial #1436 pp. 1189-9).

"The Board held caucuses on Sunday evenings until the time of the fire and sometime after the fire they continued again holding Sunday evening caucuses these Sunday evening caucuses commenced sometime after the end of December, 1905 or the 1st of January, 1906 but I think at the former date, and they were held regularly up to the time of the fire; and Schmitz and Ruef and Keane attended but no one else was permitted to be present, newspaper reporters or outsiders. Ruef suggested these caucuses. The general practices of them was to discuss the matters that would be coming up the following day to determine what should be done with them and it was understood that the votes at the caucus would indicate the way they would vote the next day, that is, it was intended to establish whether a thing could be passed or not but in some cases members would vote against it at the caucus and vote for it the next day after it was passed by the caucus." (Testimony of Gallagher at the Callahan Trial #1436 pp. 1191-2.)

"At the first caucus it was decided to hold a caucus every Sunday night and discuss matters turning up on Monday and Ruef was present at that and all the caucuses. There was a caucus on the Sunday night before our induction into office January 7, and every Sunday night until the fire and Ruef attended all of them but Schmitz did not attend all of them." (Testimony of Wilson at the 2d Ruef Trial #1437 pp. 1379-80.)

"The object of the caucuses was to discuss all bills before they came up in the Board and that was done; Ruef presented a great many resolutions, bills and ordinances at the caucuses; he presented The Bay City Water Resolution; at Ruef's request I introduced an

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ordinance rescinding the wetch wetchy action of the previous Board and it was passed by the Board unanimously. I attended every meeting of the Board up to the fire and no bill was acted upon by the Board without being considered at the Sunday night caucus. At those caucuses Ruef took the part of chief counsel and advisor though he was not then employed by the Board or the City; I think Ruef attended every caucus after the fire and at those caucuses after the fire Ruef discussed the advisability of presenting any ordinance that might be brought in by a member and after the fire no bill, resolution or ordinance was adopted by the Board without prior action at a caucus." (Testimony of Wilson at the 2d Ruef trial, #1437 pp 1981-2.)

"As to your question how soon after the fire the Board commenced to hold caucuses I say I think they held a caucus just a few days after the fire; at the time of the first caucus they did not have an official or regular meeting place and they decided on having Bowry Hall for that caucus; I think that was within two or three days after the fire; the meeting was held on Hayes Street at McGushin's Place. The next caucus was held on Golden Gate Avenue in the afternoon and we commenced to meet there possibly ten days after the fire. It was numbered 1107 Golden Gate Avenue and was a house owned by my wife. I think I rented that house sometime after the first of June but got possession of it on the 15th of May and the house was vacant at the time the Board was holding their caucuses there, and would say that the last caucuses were held there about the middle of May sometime but I could not say how frequently caucuses were held there but I think possibly a half a dozen were. As to your question where the caucuses were held after the middle of May I say I don't think we held any caucuses after that only at the Board room until the place on Geary Street was rented, I mean Hamilton Hall; we rented the place on Geary Street sometime in June but I could not say as to the exact date. I rented the Golden Gate Avenue house to other persons for them to occupy about the 15th of May and it was previous to that time that we held our caucuses there. I quit using the house as a meeting place for the Board when I allowed the tenant to take the house." (Testimony of Wilson at the Calhoun Trial #1436 pp.2053-53.)

"I am satisfied that Mr. Ruef could have gotten a majority to vote for the trolley ordinance irrespective of any money." (Gallagher's Testimony 2d Ruef Trial #1437 p.1809.)

"In that period from the fire to May 14th I would have supported any ordinance that was reasonable and necessary under those circumstances and it is a fact that I regarded the trolley permit at that time as a reasonable proposition; and I would have supported it at that time without a dollar especially if Ruef was not in opposition, and at that time I would have voted for the trolley and for gas without any money if Ruef had asked me to do it and I think that on or before May 14th I could have gotten a majority of the Board to vote for the trolley permit if it was not opposed by Ruef." (Testimony Calhoun Trial #1436 pp.575-7.)





"I would have voted in favor of that trolley permit as against the instructions of Ruef." (Testimony of Gallagher, 2d Ruef Trial #1437 p.1807.)

"It is not exactly so that I would have voted any way Ruef wanted without the payment of a single dollar to me; I would vote for any matter within reason that Ruef should ask for at that time; and the prize fight and the Parkside and the gas rates and the telephone and trolley matters were all within reason." (Testimony of Gallagher, 2d Ruef Trial #1437 pp.1807,8.)

"I would have supported any matter within reason for Ruef without money." (Testimony of Gallagher 2d Ruef Trial, #1437 p.1809)

"I would have voted for trolley, gas, telephone and Parkside at the mere request of Ruef and would have asked other members to support it without money." (Testimony of Gallagher, 2d Ruef Trial #1437, pp.1182,3.)

"I do not think that I could have lead the Board as against Ruef." (Testimony of Gallagher, 2d Ruef Trial #1437, p.1181.)

"There would be very few matters that I would not have voted for upon the mere request of Ruef." (Testimony of Gallagher, 2d Ruef Trial #1437, p.1181.)

"I rather think the trolley franchise would have been passed without a dollar from anybody." (Testimony of Gallagher, 1st Ford Trial #817 p. 288.)

"I favored the trolley ordinance and said so to Ruef and in public interviews." (Testimony of Gallagher, 1st Ford Trial, #817 pp. 279-82; 2d Ford trial #823 pp. 256-63; 3d Ford Trial #812, pp. 208-9.)

"I found no opposition to the trolley ordinance among the members of the Board of Supervisors or others; everybody was for it; the plant was destroyed and conditions were bad." (Testimony of Gallagher, 1st Ford Trial, #817, pp. 279-82; 2d Ford Trial #823 pp. 256-63; 296; 321-2; 3d Ford Trial #812, pp.268-9.)

"I was in favor of the trolley system before I was ever a supervisor because they had a conduit system in Glasgow and the aldermen told me they were in favor of the over-head system as it was the cheapest to run and maintain and with the electric lights on the poles was the most practical." (Testimony of Wilson before the Grand Jury, p. 62.)

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

1. The following are the names of the persons who have been identified as having been in contact with the subject of this investigation, and who have been identified as having been in contact with the subject of this investigation, and who have been identified as having been in contact with the subject of this investigation.

[illegible]

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific information required.

1. The first step is to identify the problem. This involves understanding the situation and the goals that need to be achieved. It is important to gather all relevant information and to define the problem clearly.



" Q. Mr. Wilson, when was the first money that you accepted for your vote as a supervisor paid to you? A. I did not sell my vote. Q. You never accepted any money on the Board for your vote? A. Well I accepted money on the Board but I would have voted for these matters anyway." (Testimony of Wilson, 2d Glass Trial #675, p.363.)

"When Gallagher first talked to me on this matter he asked me to sound the Board and see how they felt on the trolley matter. I went around among the members of the Board and I found the ones I spoke to in favor of the trolley system. I told them that it would be good for the city and they generally favored it and I subsequently reported to Gallagher that the Board seemed favorable towards the trolley system, all the members I had spoken to, there seemed to be no opposition to it. At that time I never mentioned any money to any supervisor." (Testimony of Wilson, 1st Ford Trial #817, pp. 585, 7.)

"After the fire when the city was in ruins and the street car system destroyed I went around among the Board and asked them how they stood on the overhead trolley and I saw quite a number of enough to know that it would go through; but I did not speak about money to them; and I found that the sentiment was the same as to the trolley as it was to almost everything, that is to let people get in and get at business, and that it was in favor of granting the franchise; and that was before any financial consideration was mentioned." (Testimony of Wilson, 1st Ford Trial #817, pp. 602, 3.)

"It is my impression from what I talked to all of the members and it was the idea that I got therefrom, that the trolley franchise could have been passed without the use of money; everyone I talked to wanted the trolley. Hundreds of the carmen told me that they wanted to get the cars going to get work, they were tired of loafing, and the merchants all wanted it and the people wanted it. And I was on one of the first cars that were started and it got an enthusiastic reception." (Testimony of Wilson, 1st Ford Trial #817, pp. 603, 4.)

"I got my nomination as railroad commissioner from Ruef." (Testimony of Wilson, 2d Ruef Trial, #1437, p. 2129.)

"I voted on everything because Ruef asked me to and I would have voted on everything and anything irrespective of money simply because Ruef asked me to; and it did not require any money or any bribery of me in order to get me to vote the way that Ruef wanted me to as a member of the Board." (Testimony of Wilson, 2d Ruef Trial #1437, p. 2133.)

"Before the trolley matter was introduced in the Board I was in favor of it and had circulated a petition in favor of it in San Francisco. I always favored it and I would have voted for the trolley system in any event unless I was told not to by Ruef." (Testimony of Wilson, 2d Ruef Trial #1437, pp. 2447, 8.)





"It is true that I had talked to a number of the members of the Board before I reported back to Gallagher in the trolley matter; it took ten to pass such an ordinance and I think I talked to more than enough to pass it; I felt the general sentiment on it and I did not find a dissenting vote, they all seemed favorable." (Testimony of Wilson, 2d Ruef Trial, #1437 p. 2462.)

"When the trolley matter came up for final passage there was a demonstration made at the Board in favor of it." (Testimony of Wilson, 2d Ruef Trial, #1437, p. 2472.)

"It was sufficient for me that a matter was program, and money would not then be needed with me." (Testimony of Wilson, Calhoun Trial #1436, pp. 1975,6.)

"When Gallagher approached me in the trolley matter I said that I had already made up my mind to vote for it, the press and public were clamoring for it and even railroad men and employees approached me and requested it; several uniformed employees told me they wanted work and wanted the trolley system as soon as possible and Cornelius said he thought it was the right thing and that the men needed work and that I should vote for it. I signed that affidavit in the Langdon suit conscientiously as I had never taken a bribe. I was not bribed in the trolley matter because I had no previous understanding on any matter and never voted with mercenary motive." (Testimony of McGushin, Calhoun Trial #1436, pp. 1591-2)

"I did tell Gallagher that the trolley was a good thing and necessary and that I was in favor of it; ... I don't think that I heard that there was 4000 in it before the vote and I don't think I heard any rumor." (Testimony of Phillips, Calhoun Trial #1436, pp. 1543,4.)

"The Board stood together on all matters; there were caucuses weekly before the fire and oftener afterwards." (Testimony of Phillips, Calhoun Trial #1436, p. 1553.)

"I complied with nearly everything Ruef wanted while on the Board because he was the leader of the party and controlled all the Board and me." (Testimony of Phillips, Calhoun Trial, #1436, p. 1555.)

"I told Gallagher I would vote with the administration and I always did vote with Gallagher." (Testimony of Harrigan, Calhoun Trial #1436, p. 1520.)

"It is true that I had failed to a number of the members  
of the Board before I received the call to fill the  
office. I had seen in their eyes and I think I know  
to some extent the reason. I felt the members were not  
and I did not have a dissenting vote, but all were favorable.  
(Testimony of witness, at trial, dated at 1902.)

"When the Board met for the first time, I was  
was a representation made of the Board in 1902. (Testimony  
of witness, at trial, dated at 1902.)

"It was surprising to me that a dissenting vote  
should have been given to me. I was not of them.  
(Testimony of witness, at trial, dated at 1902.)

"When the Board met for the first time, I was  
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(Testimony of witness, at trial, dated at 1902.)

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(Testimony of witness, at trial, dated at 1902.)

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(Testimony of witness, at trial, dated at 1902.)



"Everybody in town wanted the trolley after the fire and my personal view was in favor of it but I would follow Gallagher." (Testimony of Harrigan, Calhoun Trial #1436, p. 1427.)

"I followed Gallagher in voting as he was leading us in that and he represented Ruef." (Testimony of Harrigan, Calhoun Trial #1436, p. 1634.)

"I regarded Gallagher as the leader and followed him. In little matters I voted independently. If he said 'No franchise' I would have voted against it and if he said 'franchise' I would have voted for it. I favored the trolley and would have voted for it without money. I took no pains to conceal my opinion. If nothing was said about money I would have voted for the trolley as I thought it a good thing. I understood Gallagher got his orders from Ruef." (Testimony of Mamlock, Calhoun Trial #1436, pp. 1913-19.)

"I followed Gallagher because he was the representative of Ruef to whom I owed my nomination; I followed Gallagher in all important matters and believed I was carrying out the wishes of Ruef." (Testimony of Mamlock, Calhoun Trial, #1436, pp. 1933,4.)

"I favored the trolley anyhow as a good thing for the city and intended to vote for it; I heard very little opposition and I believe I would have voted for it in all events." (Testimony of Kelly, Calhoun Trial #1436, pp. 1471,2.)

"I told Gallagher that I was in favor of the trolley and would vote for it anyway." (Testimony of Supervisor Kelly, Calhoun Trial #1436, p. 1484.)

"I looked upon the affidavit which I signed in the Langdon suit as being orders from the top and signed it though I knew it was false." (Testimony of Kelly, Calhoun Trial #1437, pp. 1484,7.)

"I took such things as that affidavit as orders from Ruef through Gallagher." (Testimony of Kelly, Calhoun Trial #1436, p. 1489.)

"I was in favor of and advocated the trolley before the fire and was in favor of it after the fire in any event and would have voted for it without money; I was against the cable and against the underground conduit and was in favor of the trolley." (Testimony of Davis, Calhoun Trial #1436, pp. 1508,6.)

"I told Gallagher I was in favor of the trolley before he mentioned any money and that correctly stated my mind. From the fire on I was in favor of the trolley regardless of money considerations, as an urgent necessity and the company had been kind to the afflicted people and I expressed myself publicly and people urged me.



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"I believe, however, it was the same person."

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1. The first part of the document is a letter from the President of the United States to the Congress, dated January 1, 1861. It is a copy of the original, and is signed by the President.

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1. The first of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the activities of the Committee for the Liberation of the People of the South (CLPS) in the United States. This is a serious omission, as the Commission is required to report on the activities of all groups and individuals who are active in the United States and who are engaged in activities which are aimed at the overthrow of the Government of the United States.

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"I would have voted for it without money and money did not influence my vote." (Testimony of Coleman, Calhoun Trial #1436, pp.1295-1301.)

"I am acquainted with Ruef and have known him since about 1904 and I was connected with him in politics fairly actively before I became a member of the Board in 1908; after I became a member of the Board I continued to work with him actively with him in politics. About the time Ruef was indicted in the extortion case I was instrumental in organizing the Municipal League in San Francisco which was composed principally of City employees and other citizens." (Testimony of Coleman, Calhoun Trial #1436, pp. 1345,9.)

"Ruef was the big leader and Gallagher was next." (Testimony of Coleman, Calhoun Trial #1436, pp. 1352,4.)

"I always understood and looked upon Gallagher as the leader of the Board." (Testimony of Coleman, Calhoun Trial, #1436, p. 1319.)

"I came to the conclusion of Gallagher's leadership in the Board because at caucuses where the Mayor was absent Gallagher always occupied the chair and another point was that he was the leader of the Board and he seemed to be selected by Ruef." (Testimony of Coleman, Calhoun Trial #1436, pp. 1392,3.)

"Gallagher had dictated the policy of the Board, in other words he said what should not be passed as well as what should be passed and when he said not to pass a thing it was impossible to pass it. As to whom I understood Gallagher to represent besides the Board, I say the administration, and if Gallagher, representing the administration, said not to pass anything it was impossible to pass it." (Testimony of Bixton, Calhoun Trial #1436, p. 1734,5.)

"I expressed myself as being in favor of the trolley and Gallagher did not mention money to me." (Testimony of Bixton, V Calhoun Trial #1436, pp. 1751-3.)

"I did state in my Radke Statement as follows: 'I had no talk with Gallagher in reference to the matter at the time of the prize fight nor preceding that. It was a general understanding. I believe there was a caucus held at the very commencement of our term and the understanding was that a majority of the votes on the caucus should carry the minority, they were to vote with the majority of the Board. We had what is called a boss and he was supposed to look out for our interest, Mr. Ruef!' (Testimony of Bixton, Calhoun Trial #1436, pp. 1855,6.)

"I told Gallagher that I was in favor of the overhead trolley and that was the truth; I was in favor of the trolley for a long time even before I had took office and I had talked to a

1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 26

1. The first step in the process of the investigation is the identification of the problem. This is done by the investigator who is responsible for the study. The next step is to collect data. This is done by the investigator who is responsible for the study. The next step is to analyze the data. This is done by the investigator who is responsible for the study. The next step is to interpret the data. This is done by the investigator who is responsible for the study. The next step is to report the results. This is done by the investigator who is responsible for the study.

1. The first step in the process of identifying a problem is to define the problem. This involves identifying the symptoms of the problem and determining the scope of the problem. Once the problem has been defined, the next step is to identify the causes of the problem. This involves identifying the factors that are contributing to the problem and determining the underlying causes. Once the causes have been identified, the next step is to develop a plan to address the problem. This involves identifying the actions that need to be taken to address the problem and determining the resources that will be needed to implement the plan. Finally, the last step in the process is to implement the plan and monitor the results. This involves putting the plan into action and tracking the progress of the plan to ensure that the problem is being addressed effectively.

THE UNIVERSITY OF CHICAGO PRESS  
CHICAGO, ILL. 60637

"I want to be a member of the Communist Party," said the young man, "and I want to be a member of the Communist Party."

1. The first of these is the fact that the majority of the population of the United States is of European descent. This is a fact which has been recognized by the government and the people of the United States for many years. It is a fact which has been recognized by the government and the people of the United States for many years.

1. The following information was obtained from the records of the Department of the Interior, Bureau of Land Management, regarding the land owned by the United States in the State of California:

1. The first of these is the fact that the  
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1. The first of these is the fact that the majority of the population of the United States is now living in urban areas. This is a result of the process of urbanization, which has been going on since the beginning of the 20th century. The process of urbanization is the movement of people from rural areas to urban areas. This is done for a variety of reasons, including the search for better living conditions, the desire for education, and the need for employment. The process of urbanization has led to the growth of large cities and the decline of small towns. This has had a significant impact on the way we live and work. The majority of the population now lives in cities, which are often characterized by high population density, pollution, and a lack of green space. This has led to a number of problems, including traffic congestion, air pollution, and a loss of community. However, it has also led to the development of new technologies and industries, which have improved our lives in many ways. The process of urbanization is still going on, and it is likely to continue for many years to come. We need to find ways to manage the growth of our cities and to make sure that everyone has access to the benefits of urban living.



great many people; I would have voted for the trolley irrespective of money and in any event." (Testimony of Nicholas, Calhoun Trial #1436, pp. 143-7.)

"My state of mind towards the trolley after the fire was that I would have voted for it without money." (Testimony of Nicholas, Calhoun Trial #1436, p. 172.)

"I believed that Ruef had controlled the Board." (Testimony of Nicholas, Calhoun Trial #1436, p. 313.)

"I really believe, Mr. O'Garra, that in most matters that came before the Board they would have gone through without any monetary consideration at all." (Testimony of Nicholas, Calhoun Trial #1436, p. 315.)

"Q. There were a great matters, were there not, Mr. Nicholas, upon which you voted while you were a member of the Board prior to the time that the trolley matter came up, in which there was absolutely no money? A. Yes sir. .... there were many matters on which I voted on which I never heard any talk of money one way or the other." (Testimony of Nicholas, Calhoun Trial #1436, p. 315.)

"Callagher first asked me how I stood on the trolley matter and that was about the first of May and I said I was in favor of it and nothing was said about money then; I testified at the last Ruef trial that I did not think there was any money in it and I would not stand on that answer. I told Callagher in the first talk that I was in favor of it for the good of the city and he said nothing about money and I felt that way without money." (Testimony of Pury, Calhoun Trial #1436, p. 180.)

"We had in that Board what was called a 'Program'; that Board voted as it was told and so did I, and if I had been told to vote against the franchise I would have voted against it, and if Callagher had told me to vote against it I would have voted against it notwithstanding that it was a good franchise. It was a fact that as far as I was concerned nothing could pass that Board unless it was programmed and if I was told to vote against a thing, no matter what my personal views were, I would vote against it, and if I was told to vote for a thing, no matter what my personal views were, I would vote for it. I understood that Ruef was giving the orders through Callagher." (Testimony of Pury, Calhoun Trial #1436, pp. 181, 2.)

"I was ready to vote program at any time after we were seated; I could have voted for the franchise irrespective of consideration; I was not really forbidden or urged to vote for anything on the Board. I voted just as they wanted me to; if it was program it seemed to go through. Callagher argued on it and we voted for it. I was in favor of the trolley franchise and would have voted



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 08-10-2010 BY 60322 UCBAW

(S.I.)

1. The first group of witnesses was the "Baptist" group, which included the following:

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10. tenth of these is the fact that the

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the activities of the Committee for the Liberation of the People of the South (CLPS) in the United States. The Commission is therefore unable to determine whether the CLPS is a legitimate organization or a subversive group. The Commission is therefore unable to determine whether the CLPS is a legitimate organization or a subversive group.

for it without consideration and if Gallagher had told me not to vote for it or to vote against it I would have obeyed him." (Testimony of Purey, Calhoun Trial #1436, p. 1786-8.)

"Why I felt under obligations to take program in the Board from Gallagher was that I owed the office to Ruef and Gallagher informed me just prior to or after my induction into office that he was representing Ruef on the Board; in case Ruef gave me different instructions from Gallagher I would follow Ruef's orders, and the reason that I followed Gallagher up to May 14th on the Board was that I understood and believed that he was representing Ruef." (Testimony of Purey, Calhoun Trial #1436, pp. 1812,13.)

"I don't understand as to the program being settled at the caucuses except to this extent that anything that was pending before the Board or about to come before the Board was discussed at the Sunday night caucuses and as it went through the caucus it went through the Board and it was the understanding that it would go through the Board as it went through the caucuses. Ruef attended practically every one of those caucuses. In answer to your question whether I understood that each of those caucuses where it was determined upon what would be done in the Board the next day, that the Board acted in accordance with Mr. Ruef's desires I say that was the way I acted and I always acted with the majority. There was no secrecy made of the fact that Ruef was attending those caucuses." (Testimony of Purey, Calhoun Trial #1436, pp. 1813,14.)

"I had no talk about money with anybody on the trolley matter before the vote and I stated that I would vote for the franchise as I believed it had merit." (Testimony of Coffey, 1st Glass Trial #373, pp. 1001,5.)

"I did say in the 'Examiner' article of March 21st, that I was not promised any money in advance of the trolley matter." (Testimony of Lonsorgan, 1st Ford Trial #317, pp. 228-31.)

"I did not have any impression that money was being paid out in the trolley matter until I about three weeks or so after and I first heard conversation among the members ... I asked Ruef if any money was being paid from the U.R. and he said 'Don't ask me that question; ask that I know of.'" (Testimony of Pea before the Grand Jury, p. 95.)

"I did not talk with any member of the Board at all about any of these matters or any, nothing positive; I may have said I heard this or that but I do not remember making any talk with any body." (Testimony of Sanserson before the Grand Jury, p. 112.)

"Before the trolley ordinance came up for passage no member of the Board said anything to me about there being any money in it.

1. The Commission has received information that the following persons have been identified as having been involved in the activities of the Communist Party of the United States of America (CPUSA) in the United States and its territories and possessions:

1. The first of these is the fact that the  
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THE FOLLOWING INFORMATION WAS OBTAINED FROM THE RECORDS OF THE  
BUREAU OF THE ARMY, WASHINGTON, D. C., ON JANUARY 10, 1941.  
THE NAME OF THE PERSON WHO WAS THE FIRST TO BE  
RECORDED IN THE ARMY RECORDS WAS JOHN J. PETERSON.  
HE WAS BORN ON JANUARY 10, 1890, IN THE CITY OF  
ST. LOUIS, MISSOURI. HE WAS THE FIRST OF HIS  
NAME TO BE RECORDED IN THE ARMY RECORDS.  
HE WAS THE FIRST OF HIS NAME TO BE RECORDED  
IN THE ARMY RECORDS.



And between that time and the time that it was put on final passage on May 21st, 1906 nothing was said to me about whether any money was going to be given out; no one told me or said anything to me that there was going to be anything given out." (Testimony of Sanderson, 1st Ford Trial #817, pp. 642-8.)

"I did not vote in the trolley matter with any knowledge that I was going to get anything; it would not have made a bit of different, I should have voted for it anyhow." (Testimony of Sanderson, 1st Ford Trial #817, p. 659.)

"Before I voted for the trolley I had not heard there was going to be anything paid to me." (Testimony of Sanderson, 2d Ford Trial, #823, p. 720.)

"I cannot recall any member speaking about money matters in connection with the trolley at any time before June 11. I did not hear anyone speaking about any money matter in connection with the trolley." (Testimony of Walsh, 1st Ford Trial #817, pp. 491-3.)

"Prior to the passage of the trolley ordinance no body spoke to me on the subject." (Testimony of Walsh, 2d Ford Trial #823, p. 462.)

"No offer was made to me in the trolley matter and no promise was made to me in that matter." (Testimony of Walsh, 2d Ford Trial #823, p. 471.)

"Neither Mr. Ruef nor any other person said to me at any time that I was to receive any money for my vote on the trolley." (Testimony of Walsh, 3d Ford Trial #812, p. 788.)

"I do not remember Gallagher ever speaking to me in the relation to the trolley franchise except what he said in the open court in speeches." (Testimony of Walsh, Ruef Prelim. Ex. on Aug. 3rd, 1908, p. 10.)

"Ruef did discuss with me the proposition of certain members having received money from the Pacific States to oppose the putting up for sale of a franchise ... I had a talk with him at which he told me he could secure enough funds to allow each of the members of the Board \$3500 for passing the home application; after he told me that I then sent word out among the boys that that was to be the amount. The next development after I passed that rumor was that I was informed by Ruef that some of the members had accepted money from the Pacific States; he did not say how many. He asked me then what I thought of the situation and I told him I did not know what could be done except to speak to the boys and see if they were going to break away from his leadership and I then talked with a number of the members of the Board about that matter; those whom I talked with were Nicholas and I think Manlock and several others,



And between that time and the time that it was put on the table on May 1st, 1945, nothing was said to me about the fact that the fact that it was given out; no one told me of said fact. I don't know the time it was given out. (Exhibit 10)

"I did not vote in the 1964 election for  
 that I was going to get something for it.  
 I did not vote for it because I was  
 afraid of the consequences." (p. 10)

1947-1948

1. The first of these is the fact that the "new" technology is not yet fully developed. The "new" technology is still in the early stages of development and is not yet ready for widespread use. This is why the "new" technology is not yet widely used.

"There is no question of the fact that the  
 above is a copy of the original. The original  
 was in the possession of the late Mr. J. H.

1971-1972, 1973-1974, 1975-1976, 1977-1978, 1979-1980, 1981-1982, 1983-1984, 1985-1986, 1987-1988, 1989-1990, 1991-1992, 1993-1994, 1995-1996, 1997-1998, 1999-2000, 2001-2002, 2003-2004, 2005-2006, 2007-2008, 2009-2010, 2011-2012, 2013-2014, 2015-2016, 2017-2018, 2019-2020, 2021-2022, 2023-2024, 2025-2026, 2027-2028, 2029-2030, 2031-2032, 2033-2034, 2035-2036, 2037-2038, 2039-2040, 2041-2042, 2043-2044, 2045-2046, 2047-2048, 2049-2050, 2051-2052, 2053-2054, 2055-2056, 2057-2058, 2059-2060, 2061-2062, 2063-2064, 2065-2066, 2067-2068, 2069-2070, 2071-2072, 2073-2074, 2075-2076, 2077-2078, 2079-2080, 2081-2082, 2083-2084, 2085-2086, 2087-2088, 2089-2090, 2091-2092, 2093-2094, 2095-2096, 2097-2098, 2099-2100, 2101-2102, 2103-2104, 2105-2106, 2107-2108, 2109-2110, 2111-2112, 2113-2114, 2115-2116, 2117-2118, 2119-2120, 2121-2122, 2123-2124, 2125-2126, 2127-2128, 2129-2130, 2131-2132, 2133-2134, 2135-2136, 2137-2138, 2139-2140, 2141-2142, 2143-2144, 2145-2146, 2147-2148, 2149-2150, 2151-2152, 2153-2154, 2155-2156, 2157-2158, 2159-2160, 2161-2162, 2163-2164, 2165-2166, 2167-2168, 2169-2170, 2171-2172, 2173-2174, 2175-2176, 2177-2178, 2179-2180, 2181-2182, 2183-2184, 2185-2186, 2187-2188, 2189-2190, 2191-2192, 2193-2194, 2195-2196, 2197-2198, 2199-2200, 2201-2202, 2203-2204, 2205-2206, 2207-2208, 2209-2210, 2211-2212, 2213-2214, 2215-2216, 2217-2218, 2219-2220, 2221-2222, 2223-2224, 2225-2226, 2227-2228, 2229-2230, 2231-2232, 2233-2234, 2235-2236, 2237-2238, 2239-2240, 2241-2242, 2243-2244, 2245-2246, 2247-2248, 2249-2250, 2251-2252, 2253-2254, 2255-2256, 2257-2258, 2259-2260, 2261-2262, 2263-2264, 2265-2266, 2267-2268, 2269-2270, 2271-2272, 2273-2274, 2275-2276, 2277-2278, 2279-2280, 2281-2282, 2283-2284, 2285-2286, 2287-2288, 2289-2290, 2291-2292, 2293-2294, 2295-2296, 2297-2298, 2299-2300, 2301-2302, 2303-2304, 2305-2306, 2307-2308, 2309-2310, 2311-2312, 2313-2314, 2315-2316, 2317-2318, 2319-2320, 2321-2322, 2323-2324, 2325-2326, 2327-2328, 2329-2330, 2331-2332, 2333-2334, 2335-2336, 2337-2338, 2339-2340, 2341-2342, 2343-2344, 2345-2346, 2347-2348, 2349-2350, 2351-2352, 2353-2354, 2355-2356, 2357-2358, 2359-2360, 2361-2362, 2363-2364, 2365-2366, 2367-2368, 2369-2370, 2371-2372, 2373-2374, 2375-2376, 2377-2378, 2379-2380, 2381-2382, 2383-2384, 2385-2386, 2387-2388, 2389-2390, 2391-2392, 2393-2394, 2395-2396, 2397-2398, 2399-2400, 2401-2402, 2403-2404, 2405-2406, 2407-2408, 2409-2410, 2411-2412, 2413-2414, 2415-2416, 2417-2418, 2419-2420, 2421-2422, 2423-2424, 2425-2426, 2427-2428, 2429-2430, 2431-2432, 2433-2434, 2435-2436, 2437-2438, 2439-2440, 2441-2442, 2443-2444, 2445-2446, 2447-2448, 2449-2450, 2451-2452, 2453-2454, 2455-2456, 2457-2458, 2459-2460, 2461-2462, 2463-2464, 2465-2466, 2467-2468, 2469-2470, 2471-2472, 2473-2474, 2475-2476, 2477-2478, 2479-2480, 2481-2482, 2483-2484, 2485-2486, 2487-2488, 2489-2490, 2491-2492, 2493-2494, 2495-2496, 2497-2498, 2499-2500, 2501-2502, 2503-2504, 2505-2506, 2507-2508, 2509-2510, 2511-2512, 2513-2514, 2515-2516, 2517-2518, 2519-2520, 2521-2522, 2523-2524, 2525-2526, 2527-2528, 2529-2530, 2531-2532, 2533-2534, 2535-2536, 2537-2538, 2539-2540, 2541-2542, 2543-2544, 2545-2546, 2547-2548, 2549-2550, 2551-2552, 2553-2554, 2555-2556, 2557-2558, 2559-2560, 2561-2562, 2563-2564, 2565-2566, 2567-2568, 2569-2570, 2571-2572, 2573-2574, 2575-2576, 2577-2578, 2579-2580, 2581-2582, 2583-2584, 2585-2586, 2587-2588, 2589-2590, 2591-2592, 2593-2594, 2595-2596, 2597-2598, 2599-2600, 2601-2602, 2603-2604, 2605-2606, 2607-2608, 2609-2610, 2611-2612, 2613-2614, 2615-2616, 2617-2618, 2619-2620, 2621-2622, 2623-2624, 2625-2626, 2627-2628, 2629-2630, 2631-2632, 2633-2634, 2635-2636, 2637-2638, 2639-2640, 2641-2642, 2643-2644, 2645-2646, 2647-2648, 2649-2650, 2651-2652, 2653-2654, 2655-2656, 2657-2658, 2659-2660, 2661-2662, 2663-2664, 2665-2666, 2667-2668, 2669-2670, 2671-2672, 2673-2674, 2675-2676, 2677-2678, 2679-2680, 2681-2682, 2683-2684, 2685-2686, 2687-2688, 2689-2690, 2691-2692, 2693-2694, 2695-2696, 2697-2698, 2699-2700, 2701-2702, 2703-2704, 2705-2706, 2707-2708, 2709-2710, 2711-2712, 2713-2714, 27

1. The first of these is the fact that the Commission has not yet received any information from the Government of the United States regarding the activities of the Committee for the Liberation of the People of the East (CLPE) in the United States. This is a serious omission, as the CLPE is a well-known and active organization which has been operating in the United States for many years. It is therefore essential that the Commission be kept informed of its activities in order to be able to take appropriate action.

870, 1906, p. 10.

[illegible]

almost all of those that finally voted for the Home franchise. There was trouble in bringing over those who had accepted money from the Pacific States. Wilson talked to a number of these boys, he being one who had taken this money and he told me that still he did not want to break from the leadership of Ruef and wanted to act with him and myself in the matter and said he would talk with the other boys about it and see how they felt about voting for the Home anyhow. I suggested that the proper thing would be to return the money to the company and asked him to talk with the boys about that. He reported to me that the boys that he talked to refused to consider the proposition of returning the money but that they were going to stay with the program for the Home. I knew before the vote how many votes we were going to get for the Home. The ones that I paid \$3500 to in the telephone matter were those who were reported to have received money from the Pacific States, while the ones to whom I paid 1,000 each were the ones who refused to accept anything from the Pacific States. Now I knew which ones received the money from the Pacific States was that Wilson went over the list of those he was satisfied had received it and while all of them may have received it I cannot recollect that they did; the matter was settled on that basis. The five men who did not get anything on the telephone from me were Sanderson, Bixton, Rea, Walse and McCushin." (Testimony of Gallagher at the Gladstone, pp. 3-15.)

"After I passed the word out about the \$3500 in the telephone matter for the Home franchise Ruef heard that some of the Board were getting money from the Pacific States and he spoke to me about it and he said that he understood that the Pacific States were offering large sums of money to the members for the purpose of getting them to break away from the agreement to support the Home; I don't remember now whether he told me how he learned it but I am satisfied that he did at the time and he got it from members of the Board who spoke to him about it; he told me that he had told him; he requested me to speak to the members of the Board and dissuade them from taking the Pacific States money or from breaking away as he termed it. I spoke to several of them about it. We voted upon the matter in caucus and Ruef and the mayor were there and I spoke and the Mayor spoke in favor of the Home Telephone Company but I don't remember if Ruef expressed himself; the vote was thirteen in favor of advertising for the Home franchise and five against it; I presume it was the next day that the vote came up in the Board and the vote of the Board was the same as in the caucus.... The understanding was that the money was to be paid so as to equalize the matter some of them having accepted the sum of \$2000 from the Pacific States. I was very much opposed to their retaining any of that amount and Ruef also advised them to return it, but it was found that he could not induce them to do so and the others were complaining that those who had stood by program were to receive a much less sum than the others who had received money from the Pacific States and Ruef adjusted the matter in this way - that those who had not accepted any money from the Pacific States were to receive \$2,000 and those who had accepted money from the Pacific States but had voted for the Home Telephone Company were to receive \$3,500." (Testimony of Gallagher given before the Grand Jury on March 13, 1907, pp. 25-26.)

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[illegible]

"I understood on the day before the passage to print of the Home Telephone ordinance that fourteen of the Supervisors had agreed to vote with the Pacific States and Halsey and the rest had agreed to vote against it." (Testimony of Supervisor Dexton at the Calhoun Trial #1436, p.p. 1443-4.)



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## CHAPTER IX.

THE EXISTENCE OF FINANCIAL RELATION BETWEEN RUEF AND THE SUPERVISORS WAS A THOROUGHLY GUARDED SECRET AGAINST THIRD PARTIES AND WAS WELL GUARDED AS BETWEEN THEMSELVES.









## C H A P T E R   I X .

THE EXISTENCE OF FINANCIAL RELATIONS BETWEEN RUSS AND THE SUPERVISORS WAS A THOROUGHLY SOUNDING SECOND AGAINST THIS PARTY AND WAS WELL KNOWN AS BETWEEN THEMSELVES.



MURPHY'S MONEY TRANSACTIONS WITH THE SUPERVISORS WERE A MATTER OF THE STRICTEST SECRECY BETWEEN HIMSELF AND GALLAGHER, TO THE ANNOYANCE OF SEVERAL OF THE SUPERVISORS, AND MURPHY NEVER TOLD OR INTENDED TO ANY LIVING SOUL WHOM HE GOT MONEY FROM THAT HE DID IT WAS TO GO TO ANY SUPERVISOR;

MURPHY NEVER TOLD GALLAGHER WHOM HEAT SOURCE HE GOT ANY MONEY, NOR HOW MUCH;

MURPHY NEVER TALKED MONEY IN ANY WAY WITH ANY SUPERVISOR BUT GALLAGHER;

GALLAGHER NEVER TOLD ANY SUPERVISOR WHO HE GOT ANY MONEY FROM;

GALLAGHER NEVER TOLD ANY SUPERVISOR THAT HE WAS GIVING OR INTENDING TO GIVE OR HAD GIVEN ANY MONEY TO ANY OTHER SUPERVISOR;

GALLAGHER NEVER HAD ANY MONEY TALK WITH MURPHY;

MURPHY NEVER MENTIONED SCHMITZ TO GALLAGHER IN CONNECTION WITH ANY MONEY;

NO OFFICIAL OF THE UNITED RAILROADS EVER MENTIONED OR HEARD OF MONEY TO GALLAGHER;

GALLAGHER'S PLACE WAS TO SIMPLY SEND A REMITTANCE OF MONEY AND SEND THE RECEIPT;

WILSON ATTEMPTED TO ESTABLISH DIRECT COMMUNICATION WITH MURPHY ON MONEY MATTERS AT THE INSTANCES OF SOME OF THE SUPERVISORS BUT MURPHY SAID HE WOULD DEAL ONLY WITH GALLAGHER.

#### GRAND JURY TESTIMONY of RUEF:

"I received a fee for attorney's services of \$1,000 per month for two or three months prior to that and then finding it, as I explained, necessary to request or suggest an additional fee, which I thought would be covered by the payment of \$20,000 I suggested that to Mr. Drum. I wish to say also, in justice to him, I never told him it was to be paid to these men. Q. That isn't the way of doing that kind of business, is it? A. I don't know what the way of doing that kind of business is except as far as it has concerned myself. I never told any living being that I was receiving or accepting money on any proposition to be given supervisors, except Mr. Gallagher." (Grand Jury, p.151,2.)

"I did not talk with anybody interested in the U.R.(Gallagher, Gladstone,18d.)

"I never had any talk with anybody in regard to this money matter except Ruef." (Gallagher, Gladstone, 18d.)

"Tirey L. Ford never talked to me about the franchise." (Gallagher, Gladstone, 18e.)

"I was at Mullally's house once and had dinner there with Coleman and Mullally... It was before the money had been paid; at that dinner there was no discussion of the Company's affairs or relations with the City." (Gallagher, Gladstone, 18e & 18f.)

"I did not have a talk with Schmitz in regard to the trolley matter when it was up; he did not come before the Board in any caucus or give any opinion whether it ought to be granted or not, I did not talk with Schmitz about it." (Gallagher, Gladstone, 18g.)

"I had no conversation with any member of the U.R. Company in regard to this matter.

"Ruef suggested one day as we were passing the car-barn that we go in and have luncheon, and we saw a number of people there and several of the supervisors. I met Calhoun there for the first and only time. I don't remember if Mullally was there. I dined at Mullally's house a week or two after the vote and before the first payment was made and Ruef and Coleman and Mullally and myself were at the dinner." (Gallagher, G.J., p.73.)



1000 20 1000 20 1000 20 1000 20

I have been thinking of you very much lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you. I have been thinking of you very much lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you.

"I know Tirey L. Ford fairly well but not entirely intimately; I never had any talk with him in regard to the trolley franchise (Gallagher, G.J., p.78).

"Ruef never gave me any information as to what he was getting and I did not ask because I knew it would be useless to do so (Gallagher, G.J., p.78).

"I am satisfied that Schmitz's name was not discussed at the Presidio from the standpoint of immunity because I had no connection with Schmitz (Gallagher, First Ford trial, No. 117, pp. 302-3).

"Ruef never told me that Schmitz was to get any of the trolley money or any other money (Gallagher, First Ford trial No. 317, pp. 308, 9).

"I was not in the habit of mentioning to the members of the Board of Supervisors that Ruef was giving me the money (Gallagher, First Ford trial, No. 317, p. 743).

"The rest of the Board did not know that I was to get \$15,000 on the trolley and they did not know that Wilson was to get \$10,000 on it; they did not know it from me and I did not intend that they should know it if I could avoid it (Gallagher, Third Ford trial, No. 312, pp. 212, 13).

"I did not speak to any of the members as to what any other member was getting or whether any other member was getting anything (Gallagher, Third Ford trial, No. 312, p. 213).

"I did not tell any of the members that the trolley money was coming from Ruef. Ruef did not tell me that he was to give any of the trolley money to Schmitz and I never told any of the members of the Board how much I was to get. I never spoke to any of them about what had been given to any of the members (Gallagher, Third Ford Trial, No. 312, pp. 276, 7).

"Q. Now, when you made the arrangement with the different members of the Board did you speak to each one about it before they voted for it? A. There was very little said as a rule. Q. What was your plan in that? A. The plan was simply to speak with some member of the Board and to tell him to send the rumor among the boys, there was likely to be a certain amount in this thing, and then when the matter would come up it would be passed, and if any one asked any questions I would simply say 'It is all right' (Gallagher's testimony at the Gladstone as proved at pp. 1302, 3 of the last Ruef trial #117).

"I did not know from whom Ruef received the money in the prize fight matter, nor from whom he got it; I did not know from whom Ruef got the money in the gas matter nor how he got it; I did not know from whom Ruef got the telephone money or the circumstances; and I did not know from whom Ruef got the money in the Parkside matter or in the trolley matter, or the circumstances; Ruef did not tell me in the prize-fight matter or the Parkside, telephone, gas or trolley matters from whom he received the money or that he expected to receive it from any particular person. (Gallagher, Calhoun trial, #136, pp. 1192-3).

"Between the fire and May 14, 1906, no official of the U.R., nor any other person representing them except Ruef, talked to me about the trolley matter." (Gallagher, Calhoun trial, #136, p. 1245)





"At the time of the telephone business Turey and Wamlock came to me in the interest of themselves and others and arranged a luncheon for me with them at the Oyster Leaf and they there told me that the Board had asked them to request me to see Ruef as there was a great deal of dissatisfaction in the telephone matter and they did not understand how it was that the Pacific States Telephone Company was paying \$7,500 and \$10,000 whereas they were only to get \$3500 on the Home Telephone proposition, and I went to Ruef and told him the situation and that the matters did not know with Gallagher was giving them the proper information or they wanted me to get the information direct from him, I lied to me that Gallagher acted with his full knowledge sent and that he did not want to talk about these matters to anyone but Gallagher and that whatever Gallagher would say would be with his full knowledge and that if anything happened that he was not giving the proper information he would let me know and would look for some one else to give that information." (Testimony of Supervisor Wilson, 1st Ruef Trial, #640, morn. session, Thurs. May 14, 1908, pp. 12, 13, & morn. session, Fri. May 15, 1908, pp. 28, 9.)

"Q. Did Ruef ever talk to you about it? A. Never had a conversation with Ruef on any money matters at all except the one about Halsey (in which Wilson told Ruef that Halsey had given him money in the telephone matter). (Wilson, G.J., p. 61.) I never mentioned any money matters with Ruef, it was enough that it was his program. If he arranged any money matters it was satisfactory. (Wilson, 2nd Ruef Trial, #1437, p. 2233.)

"Ruef himself was anxious; he would deal only with Gallagher." (Closing Argument of Feney, 1st Ford Trial, #817, p. 1255.)

(Affidavit of Abraham Ruef, filed in the Superior Court, Dept. 11, March 19, 1908, in the case of "The peo. v. Abraham Ruef, #823:)

"That relative to said Calhoun and said Ford, this affiant relying upon the said immunity contract, promises and assurances, did state to said Burns, Heney and said Langdon, that he, affiant, never received any money at any time from Turey L. Ford or Patrick Calhoun or the U.R. for the purpose of bribing or giving or paying or offering to pay or promising to pay any supervisor or public official and frequently so stated to the said Feney, Langdon, and Burns and that he was never promised or paid any money by Patrick Calhoun, Turey L. Ford or the U.R. or any representative thereof for the purpose of bribing, or giving, or paying, or offering to pay, or promising to pay any supervisor or public official, and the same was and is the truth.

"And affiant further says that neither Turey L. Ford nor Patrick Calhoun ever spoke to this affiant about or told this affiant that they or either of them expected to bribe, give, pay or offer to pay any money, or promise to pay any money to any public official or supervisor, and this affiant so told the said Heney, Langdon or Burns."















## CHAPTER X.

MONEY PROPOSITION IN TROLLEY MATTER  
ORIGINATED WITH SUPERVISORS AND NOT  
WITH RUEF; THEY INSISTED IT SHOULD  
BE PUT ON A MONEY BASIS AND GALLA-  
GHER HELD UP RUEF AT THEIR INSTANCE:









## C H A P T E R   X.

MONEY PROPOSITION IN TROLLEY MATTER  
ORIGINATED WITH SUPERVISORS AND RUMF  
WITH RUMF; THEY INSISTED IT SHOULD  
BE PUT ON A MONEY BASIS AND GALLA-  
GHIER WELD UP RUMF AT THEIR INSTANCE:

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- (2000) BOARD DEMANDS REMARKS REMARKS IN THE WOLF MATTER.



POSSIBLY MONEY TALK ON TROLLEY MATTER C. AND BOXTON  
BEFORE THE ADDITIONAL JUDGE AT ALL.

"There had not as I remember been any conversation between me and any of the supervisors before that talk which I had with Ruef about the trolley matter before the fire, about what they would charge to put it through or anything of that kind. To the question is it possible that the conversation may have occurred and I have forgotten it, I say I do not think there could have been any such conversation. To the same question repeated, I answer that it is barely possible that some mention may have been made by somebody, but if so I have forgotten it. ....(Testimony of Gallagher, 2nd Ruef Trial, 1374,5).

(b)

BEFORE GALLAGHER MENTIONED MONEY IN TROLLEY MATTER TO  
SUPERVISORS, THEY WOULD COLLECT MONEY.

"Q. I regard it as important for me to know whether there was any money mentioned by any of those supervisors at the time when you approached them and asked them how they stood upon the trolley or whether they would be favorable to it. You say you did not know. Can you state that there was any? A. I cannot state that there was any. Q. Can you and will you state that Andrew A. Wilson, Dr. Buxton, Phillips, Harrigan, Purey or Coleman generally, or either one of them, did not state to you that it would depend on how much money there was in it, or that they would require a certain sum of money in order to vote for it? A. My best recollection is that some of them said in general terms that it was an important proposition and that there ought to be a large amount of money paid on it, or something to that effect, but just what they said I don't remember.....Purey may have been one who said that, and I cannot say definitely whether Wilson was or not. There were several members had spoken that way. I don't recall especially as to Buxton.....(testimony of Gallagher, 2nd Ruef trial, 1400,1).

(c)

BOARD MEMBERS THAT THERE WOULD BE MONEY IN TROLLEY  
AND GALLAGHER SO NOTIFIED THEM.

"Q. Is it not true Mr. Gallagher that you did go out and speak to some of the members of the board about Ruef and that the members of the board said that it was a big thing and there ought to be a lot of money in it, and that some of them said they wanted five or ten thousand dollars in it before they would vote to pass it -- is that true? A. As to the amount of money I cannot testify at this time, Mr. Ah, although it might have been mentioned and probably was. I do remember, though, as I told you awhile ago that there was some talk on the part of some of the members, but just which ones I cannot tell you. Q. And did





"you not then go back to Mr. Ruef and tell Mr. Ruef that they wanted money and a large sum of money to pull it through, and wanted \$5,000, or \$8,000 or \$10,000 apiece, and Ruef said no, he couldn't stand for anything like that, and didn't you then ask him how much he could make it, or would make it and was not the limit put at four-- is not that true? A. I don't remember the details of the conversation but I was proceeding to say that I could not remember the details of the conversation closely enough to say whether there was a conversation of that sort. Undoubtedly in talking with Mr. Ruef, and under the report,-- the statements that were made to me by the members, I would report to him the exact conditions of affairs as I found it, but I cannot remember the exact words that I used to him. .... (Testimony of Gallagher, 2nd Ruef Trial, 1406, 7).

(d)

GALLAGHER PREPARES RUMOR FOR HOLD-UP.

"It is true that when Ruef first spoke to me about the trolley after the fire I said "Well, I don't know whether the boys would want to do that or not; I will see how they feel about it." .... (Testimony of Gallagher, 2nd Ruef trial, 1430).

(e)

GALLAGHER SQUEEZES RUMOR.

"In the money conversation with Ruef in which he told me what he would allow the supervisors in the various matters I did not urge Ruef to give more. I talked with him about that matter and he gave me his advice as to what he could do and I reported that to the supervisors. Q. and you asked him if that is all he could do? A. I don't remember whether I asked him that. Q. You might? A. It is possible that I may have asked him, but it is more likely that he said that was the best he could do. .... (Testimony at the Coffey trial, Feb. 9, '09, 57)

(f)

GALLAGHER MOVING RUMOR THAT THE BOARD WANTS MONEY AND WANTS IT BIG.

"I took steps to sound the members of the board on the proposition and reported back to Ruef and I remember that there were some members who thought that they should receive a large sum. I don't remember just what sum they mentioned, and very likely I mentioned to Ruef that it was a matter that was receiving a whole lot of attention, it was a large matter. I may have told Ruef that as a result of the sounding and the result of what Wilson told me, that the boys said it would be a pretty difficult thing to put through, on account of the opposition to the trolley on Market street. .... (Testimony of Gallagher, 2nd Ruef trial, 1431).









"the idea that they would not care to put it through for less than from five to ten thousand dollars, that they ought to get it. I told Ruef I thought so too. Ruef said it would be impossible for him to do that and I think then it was Wilson who talked with some of the boys about it and told me that he thought they would be satisfied with \$4,000, and so I reported to Ruef and he said "Go on and put it through"..... Then you reported back to the boys, the members of the board, that \$4,000 -- A. Yes, sir, I told Wilson to let the boys know that would be the amount they would receive..... (Testimony of Gallagher at the Gladstone, 18a and 16b).

(k)

GALLAGHER FAVORED TROLLEY AND WOULD NO OPPOSITION IN THE BOARD.  
STILL BE HELD UP RUMS WITH REPORTS OF GREAT OBSTACLES.

"That purported interview which you show me is a correct statement of my position on the trolley after the fire uninfluenced by any financial consideration at all. It is incorrect, however, in stating that my views had undergone a radical change; as I stated awhile ago and always stated that I told Ruef at the time he spoke to me first that I was in favor personally of the trolley system. I would have voted for it in any event. I found no opposition to it. I heard no member of the board express any opposition to it; the railroad properties were pretty well gone to pieces, everybody was anxious to have transportation resumed and the general sentiment was in favor of it and I believe there were numerous petitions and communications presented at that time in its favor.....(Testimony of Gallagher, 2d Ford Trial, 256-63).

(l)

GALLAGHER STANDS FOR HIS GLADSTONE VERSION.

"I do not dispute the correctness of that Gladstone report which you have just read to me but I simply say I don't remember the circumstances, and whatever I stated then was the truth and the fact as I remembered it.....(Testimony of Gallagher, 2d Ruef Trial, 1429,30)

(m)

MEMBERS DILATIVELY WITH REPORT.

"When I told the members that there would be \$4,000 each in the trolley my best recollection is that there were several of them that expressed the belief that they ought to get more money, but I do not know if Boxton was one and I do not recollect any particular member, but there were a few. I think Boxton was one..... (Testimony of Gallagher, Ruef Preliminary Ex. Section of Thursday, July 23, 1908, 23-6)

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CHICAGO, ILLINOIS 60637  
U.S.A.

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"It is possible that Wilson may have said to me that there was some "grumbling by some of the supervisors that there was not more money in it, but I do not recall it at this time.....(Testimony of Gallagher, Preliminary Ex. of Ruef, Session of Thursday, July 23, 1908, 41,2).

(o)

GALLAGHER ALL AGREED THE FIRST TIME AND  
THAT WAS THE END OF THE MATTER.

"When Ruef said that he thought he could or would be able to secure enough money from them to allow each member \$4,000, I inquired from some of the members as to whether that would be satisfactory and there was a good deal of grumbling there, I understood. Different ones told me that there was some dissatisfaction over the amounts that they would receive on it. They thought they ought to receive more and they did not fix any price, but Ruef stated that would be all they could receive. I told Ruef there was some dissatisfaction with the price after the first talk and he said that it would be all that they could receive for it. I said to one or two of the members of the board and I think Wilson was one of them, that that was all that would be paid, and then he or whatever member it was that I spoke to, sent word to the other members of the board.....(Testimony of Gallagher before Grand Jury, 69,70.)

(p)

GALLAGHER SAYS AT FIRST IT WAS A MATTER OF  
THE BOARD, THEN THE BOARD.

"When Ruef said he would allow each member \$4,000 my recollection is that I said I would see the members and see if that would be satisfactory. A. Now, didn't you say at that time that you thought the amount rather small for the importance of the ordinance to the United Railroads? A. I do not remember as to that. It is possible I may have made some remark to that effect, but I do not remember it. My recollection is that something was said to the effect that the amount that I would receive would be fixed later.....(Testimony of Gallagher, Ruef Preliminary Ex., Session of Thursday, July 23, 1908,23).

(q)

GALLAGHER SAYS THE FIRST TIME THE BOARD WAS  
THE BOARD.

"As to that testimony on which you have just read me, before the Grand Jury on the trolley matter, I say I Don't recall all of those instances at that time, but they very likely happened. I remember that the members were dissatisfied with the amount.....(Testimony of Gallagher, 2d Ruef Trial, 17-25).

(r)

GALLAGHER

"There was some objection made by some of the members as to the amount





"of \$4,000, and I don't remember whether Coleman was one of them  
"or not.....(Testimony of Gallagher, 2d Ruef trial, 682 and  
1408,9).

(s)

"HOW MUCH INSIST UPON."

"In my first talk with Ruef on the trolley he told me to find out  
"about what amount of money they would "desire or insist upon" in  
"order to pass it.....(Testimony of Gallagher, 1st Ford trial, 241)

(t)

"HOW MUCH INSIST UPON."

"I did testify in the first Ford case at page 241 that Ruef told me  
"in that conversation to find out what amount of money they would  
" 'desire or insist upon,' to pass it..... (Testimony of Gallagher  
2d Ford trial, 1384).

(u)

"HOW MUCH INSIST UPON."

"In the conversation with Ruef about trolley before the fire he asked  
"me to see the members 'and ascertain how much money it would take  
"to secure that permit, to have the permit passed by the Board.....  
.....(Testimony of Gallagher, 2d Ford trial, 149)

(v)

"HOW MUCH INSIST UPON."

"Ruef requested me to interview the members to ascertain what amount  
"of money would be required to have the trolley permit granted.....  
"He asked me to interview the members and let him know what amount of  
"money it would take to have it passed .....(Testimony of  
Gallagher, 2d Ford trial, 189-91).

(w)

"HOW MUCH INSIST UPON."

"Ruef said that he would like me to ascertain about what amount of  
"money would have to be paid in order to get the permit for the  
"United Railroads..... (Testimony of Gallagher, Ruef Preliminary  
Ex. Session of Friday, July 10, 1908, 13-16). (Testimony of  
Gallagher, Ruef Preliminary Ex. Session of Thurs. July 23, 1908, 8-11).

(x)

"HOW MUCH INSIST UPON."

"Ruef wanted me to get a general idea on the subject of what it  
"would cost to put it through the board in the way of payments to  
"members for their respective votes.....(Testimony of Gallagher  
Ruef Preliminary, Ex. Thurs. July 23, 1908, 11-13).



HOW MUCH "IT WOULD REQUIRE."

"In his talk with me about trolley.....Ruef asked me "to ascertain about what amount of money it would require to have the matter passed by the board; he asked me to interview the members of the board and to let him know what amount would have to be given to the members of the board in order to pass it..... (Testimony of Gallagher, 2nd Ford trial, 219-222.)

(z)

HOW MUCH "IT WOULD REQUIRE."

Witness admits foregoing testimony.....(Testimony of Gallagher, 2nd Ruef trial, 1388, 9).

(aa)

GALLAGHER DENIES HE TRY TO KNOW "HOW MUCH"

"After I spoke to the supervisors at Ruef's request after the fire I subsequently saw Ruef and told him that I was satisfied that it could be passed and I asked him the amount of money that he could allow the board if they passed it, each member; he told me then that he would allow \$4,000 for each of the members outside of myself.....(Testimony of Gallagher, 1st Ford trial, 241-3; Testimony of Gallagher 3rd Ford trial, 194.)

(bb)

GALLAGHER DENIES HE TRY TO KNOW "HOW MUCH"

Witness admits last foregoing testimony.....(Testimony of Gallagher, 2d Ruef trial 1404).

(cc)

GALLAGHER WENT AWAY THAT HE REMEMBER

"HE GAVE TO THE BOARD" IN HIS OWN MIND.

"Q. Is it true that you told Ruef that in talking with the boys about it you got the idea that the boys would not care to put that trolley matter through for less than five to ten thousand dollars, and that they thought they ought to get that much money for it, did you? A. I don't remember at this time mentioning the amounts to Mr. Ruef that are mentioned there; I may have done so. Q. I am asking you whether that is true, sir? A. I don't remember at this time of that fact taking place, but it may have taken place.....(Testimony of Gallagher, 2d Ruef trial, 1437).

(dd)

THE BOYS SAID THAT IT WOULD BE THE  
MONEY TO BE PAID.

"After the first talk with Ruef after the fire I spoke to several





"of the members about it and I think Wilson among them, my best recollection is that I did not talk with Wilson about the financial end of it in so far as asking him definitely what he wanted, but I talked generally about the proposition as to whether it could be put through, that is if a sufficient amount of money were paid, and gave him to understand that it was to be paid and my best recollection is that Wilson said that he believed that matter could be passed by the board. As to your question whether he mentioned the question of money, there was something said but just what I do not remember, that would indicate the board would be paid in the matter and my recollection is that I made that statement. I don't think I told Wilson to find out from the other members how much they would think they ought to get but the suggestion was made that it could be done and that if the proposition was made and was a reasonable one he thought the members would accept it." (Testimony of Gallagher, Ruef Prelimin. Ex. Session of Thursday, July 23, 1908, 12-19). (ee)

GALLAGHER ADMITS HE MAY HAVE ORIGINATED  
RUEF'S PLAN.

"I am still uncertain whether in the first conversation after the fire Ruef told me that he could allow about \$4,000 or whether in that conversation he said anything about that, and that subsequently in another conversation I asked him what he could allow and he said about \$4,000." (Testimony of Gallagher, 2d Ford trial, 213-15). (ff)

GALLAGHER ADMITS THAT HE MAY HAVE ORIGINATED RUEF'S PLAN.

"Witness admits giving last foregoing testimony. (Testimony of Gallagher, 2d Ruef trial, 1468.)

(gg)

GALLAGHER WOULD HAVE SUPPORTED ROLLNEY SIDE-  
OUT RUMOR.

"It is not exactly so that I would have voted anyway Ruef wanted without the payment of a single dollar to me. I would vote for any matter within reason that Ruef should ask for at that time; and the prize fight, Parkside, gas, telephone and trolley matters were all within reason." (Testimony of Gallagher, 2d Ruef trial, 1807,8).

(hh)

GALLAGHER WOULD HAVE BEEN READY TO BACK A RUMOR

"Q. Mr. Gallagher, when you went into office you were ready to do Mr. Ruef's request on any matter, were you not? A. I would not say on any matter....but on any matter within reason. Q. For instance if Mr. R. asked you, as a matter of policy, or because he, Ruef, had received a large attorney's fee, or was promised one, to



"vote for it and do what you could to fix the gas rates at a certain sum, and to vote for an opposition telephone here in the city or a permit for a prize fight, or a permit on street railroad extension branch road--you would have voted for it, wouldn't you? A. I think "I would." (Testimony of Gallagher, 1st Ruef trial, morn. sess. Sat. May 16, 1908, 18.)

(11)

WILSON NEVER GOT IN ON THE TROLLEY TRUFF.

"I remember talking with Wilson one evening after his election but whether it was before he was sworn in or afterwards, I don't know but I think it was afterwards, and to the best of my recollection, it was about the middle of January, and the substance of it was that he said he understood I would represent Ruef on the board, and I told him that that was correct and he said 'Well, whatever is doing on the board I will expect to talk to you about it' or words to that effect." (Testimony of Gallagher, 1st Ruef trial, morn. ses. Sat. May 16, 1908, 31.)

(33)

GALLAGHER SAYS MONEY WAS USED TO GET TROLLEY ORDINANCE.

"I am satisfied that Ruef could have got a majority to vote for the trolley ordinance without any money." (Testimony of Gallagher, 2d Ruef trial, 1908).

(12)

GALLAGHER SAYS MONEY NOT USED TO SUBVERT TROLLEY.

"I think the trolley franchise would have been passed without a dollar from anybody." (Testimony of Gallagher, 1st Ford trial, 286.)

(11)

WILSON DEMANDS MORE.

"When I told Wilson there would be \$4,000 in the trolley he said that he thought he ought to receive more and I told him I would see Ruef about the matter and see if he would not agree to give more and that I was satisfied that he would." (Testimony of Gallagher, 2d Ruef trial, 681.)

(11)

GALLAGHER SAYS MORE ABOUT WILSON.

"I told Ruef that Wilson ought to receive more than the others because he was active and had considerable influence with the members and was the representative of a sort of little combination on the board and I felt that if Wilson were disposed to make trouble in the board he might be in a position to influence some of the members." (Testimony of Gallagher, 2d Ruef trial, 1717).





WILSON SPOKE TO ME.

"As to who first spoke about Wilson getting more, my recollection is that Wilson spoke to me or that Wilson spoke to Ruef; "I think Wilson spoke to me about it." (Testimony of Gallagher, 2d Ruef trial, 1719).

(oo)

WILSON SPOKE TO ME AND I TOLD HIM I THOUGHT SO, TOO.

"I had a talk with Wilson about his own compensation in the trolley matter and he said that he thought he ought to receive more compensation than was given to the others and I told him I thought so, too, and that I would endeavor to arrange for him to receive \$10,000. I reported the talk to Ruef and Ruef agreed that Wilson should receive the additional sum by reason of his services in the matter of arranging with the members, his influence in the board." (Testimony of Gallagher, 1st Ford trial, 246,7).

(pp)

WITNESS ADMITS GIVING LAST ABOVE-MENTIONED TESTIMONY.

(Testimony of Gallagher, 2d Ruef trial, 1723.

(qq)

WITNESS TESTIFIES THAT HE SUGGESTED TO HIM THAT WILSON SHOULD RECEIVE THE SUM OF \$10,000 INSTEAD OF \$4,000 AND RUEF CONSENTED TO THAT PROPOSITION.

"I told Ruef that Wilson was of considerable assistance and could be of great assistance thereafter, passing the matter through the board, and I suggested to him that Wilson should receive the sum of \$10,000 instead of \$4,000 and Ruef consented to that proposition." (Testimony of Gallagher, 2d Ford trial, 229-30).

(rr)

WITNESS ADMITS AND ENDORSES LAST FOREGOING TESTIMONY.

(Testimony of Gallagher, 2d Ruef trial, 1781,2.)



"I don't remember how Ruef and I came to hit upon the amount of \$15,000 for me. Q. Is that the amount you demanded? A. I may have mentioned it to him. He may have suggested it. I do not remember as to just how it came up. Q. When the amount of \$4,000 was mentioned either one way or the other did you say to him "That is not enough for me, I want \$15,000?" A. I don't remember to have said that, Mr. Ach... my best recollection is that Wilson's amount was fixed at the same time."

(Testimony of Gallagher, 2d Ruef Trial, p.1714.)

(11)

WILSON'S BOARD.

"Before the time that I spoke to the members about the \$4,000 in the trolley, Furey and Mamlock and Wilson had formed a little sort of combination inside of the board and Wilson was their spokesman and I would generally speak to Wilson when I wanted those gentlemen to vote any particular way and he would speak to them." (Testimony of Gallagher, Ruef Prelim. Ex., Session Fri., July 10, 1908, pp.26-8.)

(12)

BOARD OF LANS FOR PAYMENT, AND FIRST INSTALLMENT WAS PAID BY WARRANTS TO THE LANS.

"At the time I made the first payments to the members there was some complaint on the part of the members about the whole amount not coming through, but I can't remember who those members were. My best recollection is that a large number of the members were complaining about the delay in the receipt of the money generally, not only at the time the first installment was paid to them, but previous to that they had been complaining, and that is the reason why the money was paid in the installments. What they said was that there was too much delay in the matter of the trolley money and wanted to know why it did not come through; a great deal of complaining was before the first distribution; and when I made the first distribution it is possible that a few members may have said that they should have received it all. My best recollection of when the complaining commenced was a short time after the ordinance was finally passed, probably a couple of weeks. I should say it was somewhere about the middle of June that these complaints started. I should say that this kicking extended approximately over a period of a month. My best recollection is that the members who did the complaining to me were Boxton, Wilson, Furey, Phillips, Mamlock, Coleman, Lonergan, Harrigan, Davis; a great majority of the members. There was a large number of them that were complaining at intervals, a few made a number of complaints that were brought to me. Wilson told me, too, that a number of the members





"were complaining. I do not remember the exact words of their complaints but the request certainly was that there was more delay than was necessary in the matter. Coffey wanted his money to go east and I think Hamlock wanted his for some business reason and he made an urgent request on me for it. My best recollection is that Nicholas complained also but I don't remember about Sanderson or Duffy. Coleman complained and it is possible that he wanted some understanding as to the date when it would be paid. The majority expressed their dissatisfaction at the delay. I. and didn't they all in substance say 'We want our money' or 'I want my money that is coming to me,' or words to that effect...? A. Oh, that complaint to me undoubtedly meant to convey the idea that they wanted to get the money, and I understood from their complaints to me at the time they complained about the delay that they wanted the whole amount at once, when they were paid. The complaints of course were not at the payment of one-half but at the payment of the whole amount...and by reason of these complaints at the delay in the receipt of the \$4,000 it was decided to pay the installment of one-half. It may be that a short time after the first payment, or at the time of the first payment, some of the members complained at not getting the whole \$4,000 but I have no recollection of it. As to your question whether there were any complaints or dissatisfaction after I made the first payment and before the second I say I do not recall any definite complaint but my impression is that the members were not entirely satisfied with the receipt of half the money but were made more patient by it, and it is probable that during that time some of the members requested the payment of the remainder of the money promised. I think Burey did, as I remember his opening a place of business. I am not positive as to the members who made the complaints between the two payments. I am not sure about Hamlock, Coffey or Bexton." (Testimony of Gallagher, Ruef Prelim. Ex., Ses. Fri., July 24, 1908, pp. 12-23.)

(vv)

GALLAGHER BETWEEN 1908 AND 1909 (1908-1909)

"Subsequent to the passing of the trolley permit and previous to the receipt of the money I had several talks with Ruef, one of which occurred at his office on nine and Fillmore streets, and I then stated to Ruef that the members were complaining about the delay in payment of the money in the trolley matter." (Testimony of Gallagher, Ed Ruef trial, pp. 702, 3.)

(vv)

GALLAGHER BETWEEN 1908 AND 1909 (1908-1909)

"I had a talk with Ruef on the trolley matter about the latter part of July and he paid over to me about \$25,000 on the trolley matter and said that it would be a good idea to

[illegible]



"pay half of the money to the members in order to keep them from talking about the fact of their not having received the money sooner, and I told him that I would see them and see if that was all right and make the half payment if they wished to receive it that way."

(Gallagher, 2d Ruef Trial, pp.701, 2.)

(301)

#### MONEY AND COMPLAINT.

"After the passage of the trolley matter and before the payment, Boxton, Coleman, Wilson, Furey, Lonergan and others came to me and made complaint over the delay in the payment of the money. Mr. Wilson told me that some of the supervisors were complaining very bitterly about the money not coming through and I think he mentioned Furey and Mamlock."

(Gallagher, 2d Ruef Trial, pp.1803, 4.)

(302)

#### GALLAGHER NOTIFIED RUEF BOYS MUST HAVE THEIR MONEY.

"From the time of the final repassage of the ordinance and up to the first payment from Ruef I had conversations with him almost daily and these matters would come up for discussion but there was no conversation about this ordinance particularly. I spoke to him about the delay in the matter of the payment of the money to the members of the board during that time. I told him there was considerable complaint on the part of the members concerning the delay."

(Gallagher, 3d Ford trial, pp.165, 6.)

(303)

#### RUEF DELIVERED FIRST PAYMENT.

"After the last payment to me by Ruef of the first installment, at the time when I had enough money to pay half of the amount that was to be given to the members, I said in substance to Ruef that the members were complaining about the delay in the matter of the payment in the United Railroads matter and we had some talk about it and finally Ruef said to me in substance "You pay half to the members," and I said I would do so, and I paid it over then almost within a couple of days." (Gallagher, Ruef Prelim.Ex., Ses. of Fri., July 10, 1908 pp.48, 9.)

(304)

#### PETTY GRAFTING.

"I remember having numerous talks with Ruef about the petty grafting of the members and the danger therefrom and we both agreed to stop that petty graft."

(Gallagher, Ruef Prelim.Ex., Ses. Tues., July 21, 1908, pp.10-13.)



"I have been thinking of you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you. I have been thinking of you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you."

## CHAPTER II

"I have been thinking of you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you. I have been thinking of you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you."

## CHAPTER III

### THE FIRST OF THE THREE PARTS OF THE STORY

"I have been thinking of you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you. I have been thinking of you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you."

## CHAPTER IV

### THE SECOND OF THE THREE PARTS OF THE STORY

"I have been thinking of you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you. I have been thinking of you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you."

## CHAPTER V

### THE THIRD OF THE THREE PARTS OF THE STORY

"I have been thinking of you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you. I have been thinking of you a great deal lately, and wondering how you are getting on. I hope you are well and happy. I have been very busy lately, but I have managed to find some time to write to you."

(bbb)

HOUNDING RUEF ON PARKSIDE.

"I made the last request of Ruef for the Parkside money within thirty days or possibly two weeks before he went to Trocadero and I knew at that time that since the previous November and while all this importuning was going on every week or two by me upon Ruef for the Parkside money, that the Graft Prosecution was in progress"....(Testimony of Gallagher, 1st Ruef trial, Mon.Ses.Mon.May 11,'08, 37,8.)

(ccc)

SUPERVISORS DEMAND DEFINITE UNDERSTANDING ON MONEY MATTERS.

"I am satisfied that as far as this Ray Cities water proposition was concerned, in the shape in which it was it could not go through because the members of the board were inquiring about it; it would not have been put through without some definite agreement because the board felt that the thing would not be handled by Ruef and he would not be advocating it unless it was of some benefit to himself, and they did not want to be treated in that way any more--many of them were complaining about a number of propositions put through in which they felt that Ruef had received money and had not paid anything to the boys at all. Some were suspicious about the Ocean Shore matter and expressed the view a few times that they had not been treated fairly on that thing."....(Testimony of Gallagher at Gladstone24-8.)

(ddd)

GRUMBLING ABOUT OCEAN SHORE.

"I remember that there was some grumbling about Ocean Shore and I may have told Ruef about it because I was seeing him right along".....(Testimony of Gallagher, 1st Ruef trial, aft.ses.Mon.May 11, '08, 48-50.)

(eee)

GALLAGHER REBELS OVER COMMISSION.

"When the members complained about my five per cent commission in the prize fight matter I said "All right, we will attend to that you fellows will not be so well off, but it suits me"....(Testimony of Gallagher at Gladstone, 5).

(fff)

GALLAGHER REBELS OVER COMMISSION.

"Witness acknowledges and repeats last above quoted testimony....



(ggg)

GALLAGHER BATTLE OVER COMMISSION.

"When the members complained about my five percent, I told them that the proposition would be abandoned and that then I would feel that I was acting solely for Mr. Ruef in the matter of distributing whatever amounts might be agreed upon, and not jointly as representing both.....(Testimony of Gallagher, 1st Ford trial, 1735, 6.)

(hhh)

BOARD HOLDS OUT FOR MONEY IN PARKSIDE.

"Before Ruef made the first money proposition to me in Parkside and before I communicated it to the Board there was quite a number of the Board that were not ready to support it. I think Wilson was one and Nicholas and Phillips; in fact the great majority were saying they were not prepared to support it but I don't remember of their giving me any reasons..(Testimony of Gallagher, 1st Ruef trial ses. Friday May 8, '08--47-60( " " " Ruef Prelim.Ex.ses. Tues. July 14, '08). " " " 2nd Ruef trial, 1354.)

(iii)

BOARD GREEDY IN PARKSIDE.

"There were some members that did not think the amount that was offered on Parkside was sufficient compared with what they considered the advantages that would accrue to the company, but just which ones made that objection I could not say. My best recollection is that Bixton so expressed himself, and I think Wilson did; I am not sure about Purey.....(Testimony of Gallagher, Ruef Prelim.Ex.ses. Thurs. July 16, '08, 14-18).

(jjj)

BOXTON ANNOUNCES "WOW IN IT FOR HEALTH".

"At the Casino Banquet Bixton said something to the effect "Well you people are not in this business for your health and we are not in this business for our health....(Testimony of Gallagher, Prelim.Ex.ses. Mon July 13, '08, 55 et seq.)

(kkk)

BOXTON'S SPEECH WAS MADE BEFORE GALLAGHER MADE HIS FIRST MONEY PROPOSITION.

"Am quite certain that on January 10th, when we went to the Casino luncheon I had not made any offer to any of the supervisors of paid





"them any money ot talked about any illegitimate proposition".  
"(Testimony of Gallagher, 2nd Ruef trial, 1314.)

(111)

BOXTON'S SPEECH WAS MADE BEFORE  
GALLAGHER MADE HIS FIRST MONEY PROPOSITION.

"At the Parkside luncheon Boxton said "You people are not in this  
"for your health and neither are we."Up to that time I had made  
"no offer of money to any supervisor in any matter." (Testimony  
"of Gallagher, 2d Ruef trial, 1349,50.)

(nnnn)

BOARD DRIVES RUEF IN PARKSIDE.

"Between the time that the Parkside lapsed in May,1906, and the  
"time that Ruef took it up with me again and told me about the thou-  
"and dollars in it, I spoke to him a couple of times and asked him as  
"to the payment of the money and he said,"Well, they are not doing  
"anything, don't know what they will do or whether they will take the  
"franchise or not," and said that he would speak to me later and the  
"matter went along in that way for perhaps three or four months. He  
"denied receiving the money." (Testimony of Gallagher,1st Ruef trial,  
"morn.ses.Fri.May 8,'08, 32.)

(nnn)

BOARD POINTS MEET FOR MONEY IN PARKSIDE.

"Subsequent to the passage of the ordinance of 19th Ave.I had  
"talk with Ruef about the payment of the money, a number of convers-  
"ations and in those conversations I frequently told Ruef that the  
"members were importuning me for money and he said that he had not  
"received it and that as soon as he did he would let me know. I can-  
"not fix definitely when I had the last talk with Ruef about this im-  
"portuning but it was shortly before Ruef went out to Trocadero."  
"(Testimony of Gallagher,1st Ruef trial,morn.ses.Fri.May 8,'08, 34.)

(ooo)

BOARD TO RUEF ASK FOR MONEY IN PARKSIDE.

"There was kicking after the Parkside passed to print among the  
"members that the \$750, had not come through and it was by the memb-  
"ers generally. I believe five or six complained to me about it and  
"they told me that the others were complaining about it. The members  
"that spoke to me about it were Boxton, Wilson, Phillips, Coleman and  
"probably some of the others. Between the time I told them there wou-  
"ld be \$750.in it and the time the route was changed there was inquiry  
"made of me about the \$750.,and I told them that Ruef had said con-  
"cerning the delay. That was before the offer of \$1,000 and was at  
"different intervals between the fire and the change of route,differ-  
"ent ones would speak to me about it." (Testimony of Gallagher,1st  
"Ruef trial,morn.ses.Sat.May 9,'08, 13-19.)



(ppp)

BOARD MEETS WITH FOR MONEY IN PARKSIDE.

"I spoke to Ruef about the Parkside matter as to their completing the transaction, some of the members had spoken to me about it and I spoke to Ruef and that was before the talk with Ruef about the \$250. extra. They came to me and wanted to know why the Parkside matter was not closed up and the money received, and that was before the application for the new franchise was made; they spoke probably several different times and running over a period of perhaps a couple of months until up to the time when this final proposition came from Ruef. It was sufficiently long after the fire to make the members feel that they wanted the thing settled up. I should say it was a month and a half or something like that after the fire. It would not be possible for me to tell you who the men were who first came to me and asked me about that money after the fire. My impression is that it was some of those who were most active on the board; probably Wilson and Poxton did speak to me about it, but I am not positive (Testimony of Gallagher, 1st Ruef trial, morn. ses. Mon. May 8, '08, 9-13)  
( " " " 1st Ruef trial, morn. ses. Mon. May 11, '08, 14-21)  
( " " " Ruef Prelim. Ex. ses. Wed. July 15, '08, 25-7.)  
( " " " Ruef Prelim. Ex. ses. Wed. July 15, '08, 31-4.)

(qqq)

BOARD MEETS WITH FOR MONEY IN PARKSIDE.

"There was general dissatisfaction among the members after the fire concerning the situation of the Parkside, and that condition of dissatisfaction continued for a long time, brought about quite a number of conversations, and my understanding was they wanted to hasten this thing and settle it once and for all, so that they could get their \$750. The members who expressed their dissatisfaction were Poxton, Wilson, Harrigan, Furey, Mamlock, Coleman. There were others that I spoke to, but I don't remember just which ones at the present time." (Testimony of Gallagher, Ruef Prelim. Ex. ses. Thurs. July 16, '08, 37, 8.)

(rrr)

BOARD MEETS WITH FOR MONEY IN PARKSIDE.

"My best recollection is that the Parkside bid was made and approved some time in the month of December and I think that I first spoke to Ruef about paying us the thousand dollars on Parkside after that, and I said substantially that the members wanted the money, and that they had spoken to me about it: the members who asked me for the payment of that thousand dollars were to the best of my recollection Wilson, Poxton, Coleman, Phillips, Davis, Harrigan, Furey and I think Mamlock and I think others. They asked me why the money was not coming through. Some of them spoke to me a number of times. My recollection is that in the last talk Furey had with me on the subject he said there was too much delay about it, or that he thought the money had been paid by the company and either asked me to speak to Ruef or I told him I would. Those importunings on the part of the members extended over a period of two or three months





"after the first of the year. I do not remember Duffy nor Rea nor McGushin importuning me, or Walsh or Coffey. I am not sure of Davis, I think Lonergan and Mamlock did, and I think Nicholas made a complaint. I don't remember Sanderson complaining." (Testimony of Gallagher, Ruef Prelim.Ex.ses.Thurs. July 16, '08, 47-53.)

(sss)

BOARD HOUNDS RUEF FOR MONEY IN PARKSIDE.

"I should think that about 13 out of the 17 supervisors spoke to me about the money not coming through in that Parkside matter." (Testimony of Gallagher, Ruef Prelim.Ex.ses.Fri. July 17, '08, 8.)

(ttt)

BOARD HOUNDS RUEF FOR MONEY IN PARKSIDE.

"I would not be positive whether I reported back to Ruef that some of the members were dissatisfied that only a thousand dollars was to come through in Parkside, but I may have." (Testimony of Gallagher, Ruef Prelim.Ex.ses. Thurs.July 16, '08, 44.)

(uuu)

THEY ALWAYS HAD TO BE PLACATED WHEN THERE WAS DELAY ABOUT MONEY.

"Whenever money was delayed on a proposition the usual custom would be for me to go to see the members and speak about the delay, though on some occasions the members would speak to me about it." (Testimony of Gallagher, Ruef Prelim.Ex.ses.Fri. July 17, '08, 17.)

(vvv)

RUEF HOUNDED IN PARKSIDE.

"After I made this offer to the supervisors I did speak to Ruef about the payment of the money several times. The first time was some time after the bid of the Parkside people had been accepted and my best recollection is that I spoke to him three or four times. The first time I spoke to him was either the latter part of 1906 or early in 1907, and previous to the middle of March, and I said in substance to him that the members were importuning me for money on the Parkside matter and he said he had not received it and that he would get it as soon as he could and would let me have it as soon as he got it. I talked with him along these lines several times in the interval of perhaps a few days or a week between; every two days or so. The members who were importuning me were Wilson, Coleman, Phillips, Bexton and I think Davis but I would not be sure about Davis; I don't remember Rea speaking to me about it or Sanderson or Furey or Kelly or Coffey, though I think Coffey did. And I think Harrigan did; I don't remember of Walsh doing so and I could not say positively about Nicholas, I am certain it was either thirty days before Ruef went to Trocadero that I last spoke to him about



"giving me the Parkside money." (Testimony of Gallagher, 1st Ruef trial, morn.ses.Mon. May 11, '08, 35-7.)

(www)

RUEF HOUSED IN PARKSIDE HOME AFTER  
INDICTMENT.

"All this time that I was importuning Ruef for the Parkside money I knew that the Grand Jury had been in session and that Spreckles had guaranteed a fund and that Heney was in it and that Ruef had been indicted five times for extortion and that Heney was acting Assistant District Attorney." (Testimony of Gallagher, 1st Ruef trial, morn.ses.Mon. May 11, '08, 37, 8.) (Testimony of Gallagher, Ruef Prelim.Ex.ses.Wed. July 22, '08, 43, 4.)

(xxx)

SPEEDY IN GAS MATTER.

"When I paid the \$750 in the gas matter over to the 16 supervisors there may have been complaints to the effect that the amount was not large enough considering the importance of the municipal legislation, and the benefit accruing to the gas company. My best recollection is that some of the members spoke of the fact that it was a small amount, but just which ones I could not say, but my best recollection is that Bixton, Wilson, Furey and Coleman did so." (Testimony of Gallagher, Ruef Prelim.Ex.Wed. Jul. 22, 1908, 2-4.)

(yyy)

BIXTON SAID PACIFIC STATES WOULD PAY MORE.

"When I told Bixton there would be \$3500 in the Home matter I think he said something in that talk or in another to the effect that he thought the Pacific States would pay more money." (Testimony of Gallagher, Ruef Prelim.Ex.ses.Thurs. July 9, '08, 42, 3.)

(zzz)

DISSATISFACTION OVER DIVISION OF TELEPHONE  
MONEY.

"After the conversation with Ruef in which he told me that the Pacific States had paid money to the members I had talk with some members about the matter: I think I talked with Wilson and Coleman about it and I believe I talked with Furey. I do not recall anyone else. My talk with Wilson on this line was previous to the passage of the ordinance and my talk with Coleman was after the passage of the ordinance. The talk with Coleman was that he asked me if there should not have been more coming on the telephone matter, and I told him no, and he then said, I think, 'I understand that the





"members who did not vote for the Home were not to get any money and that I ought to get more." And I told him no." (Testimony of Gallagher, Brief Prelim.Ex.ses.Thurs.July 9, '08, at-6.)

(aaaa)

**BOARD DOUBLE ON THEIR OWN ACCOUNT IN TELEPHONE MATTER.**

"There were a number of members that I was informed had received money from the Pacific States telephone company prior to my offer on behalf of the Home. The names of those whom I had been informed had already filed up to the Pacific States were Wilson, Coleman, Lowergan, Nicholas, MacLack, Purdy, Phillips, Coffey and there were some others that I do not now recall. I do not know about Mess. Davis was not one of them nor Harrigan. I would not be positive whether I received word in advance as to Walsh or not. Kelley was not, I think Sanderson was, and Purdy. My best recollection is that I did not take up the matter with each of them when I heard that. I spoke to some of them according to my best recollection, but not to all. I do not remember positively speaking to Nicholas about it, although I may have done so." (Testimony of Gallagher, Brief Prelim.Ex.ses. Wed. July 22, '08, 4-16.)

(bbbb)

**BOARD DOUBLE ON THEIR OWN ACCOUNT IN TELEPHONE MATTER AFTER GALLAGHER MADE THEIR PROPOSITION ON BEHALF OF HOME COMPANY.**

"My best recollection is that the Home Telephone proposition had been presented by me to the members before they received the money from the Pacific States, but as to whether that was true as to all of them or not I could not say, but my best recollection is that some of the members thought the proposition that I had submitted from Huef was small, but I cannot say which ones. I remember that Lowergan complained at the amount of the telephone offer and he was quite positive in his statement that he thought he ought to get more. As to what other members so complained my recollection is obscure." (Testimony of Gallagher, Brief Prelim.Ex.ses.Wed.Jul.22, '08, 18-18.)

(cccc)

**BOARD DOUBLE ON THEIR OWN ACCOUNT IN TELEPHONE MATTER AFTER GALLAGHER MADE THEIR PROPOSITION ON BEHALF OF HOME COMPANY.**

"The force of the foregoing is that the board went out on its own hook even after the proposition had been made to them in the Home telephone matter and undertook to drive a better bargain with the rival company. And it will be admitted by the witness, as it always has been told by him, that some of those who took money from the Pacific States refused to give any of it back, and some of them only gave a part back though they voted for the rival company.



(1111)

THEY WANT MORE BY TELEPHONE.

"Between the time I made the \$3000 proposition to the members in the telephone matter and the actual payment of the money there was a period of from six to eight weeks, and during that period some of the supervisors expressed dissatisfaction to me with the amount I proposed to pay them for the ordinance in question, and wanted more. I do not remember that Nicholas was one of them." (Testimony of Gallagher, Brief Prelim.Ex.ses.Wed.July 22,'08, 45.)

(1111)

THEY WANT MORE BY TELEPHONE.

"There were other supervisors besides Coleman who claimed that they ought to get more money in the telephone matter because some had not voted for the Home, and my best recollection is that Kelly did; am not positive about Pusey; I do not remember of Phillips or Leorgan and am not positive about Davis. During the six weeks period between the time I made the \$3000 proposition and the actual payment of the money some of the members said substantially, 'Now some of the boys are going to vote against the ordinance and the money they are not going to get ought to be divided between those who are going to vote in favor of it.' I do not remember of Nicholas speaking of that particular matter. I think Kelly spoke of it first and Coleman and Davis. I don't remember the others." (Testimony of Gallagher, Brief Prelim.Ex.ses.Wed.Jul.22,'08, 37-42).

(1111)

THEY WANT AS MUCH AS THE OTHER GUYS OFFERED.

"My best recollection is that somebody mentioned that the Pacific States having offered \$1,000 the Home ought to pay at least a like amount, but just who it was I could not say." (Testimony of Gallagher, Brief Prelim.Ex.ses.Wed.July 22,'08, 48.)

(1111)

GALLAGHER & WOLF IN PRIZE FIGHT MATTER.

Gallagher was a wolf and held out five percent from each member as so-called commission in the prize fight matter.

(1111)

GALLAGHER & WOLF IN PRIZE FIGHT MATTER.

"When the members complained about my five percent commission in the prize fight matter I said, 'All right, we will attend to that, you fellows will not be so well off, but it suits me.'" (Testimony





of Gallagher at the Gladstone, 5.)

(1111)

GALLAGHER A BOY IN THREE FIVE EIGHT.

Witness acknowledges and repeats last above quoted testimony. (Testimony of Gallagher, 2d Ruef trial, 1307-12, 1750.)

(1112)

GALLAGHER A BOY IN THREE FIVE EIGHT.

"When the members complained about my five percent I told them that the proposition would be abandoned and that then I would feel that I was acting solely for Mr. Ruef in the matter of distributing whatever amounts might be agreed upon, and not jointly as representing both." (Testimony of Gallagher, 1st Ford trial, 1735, 6.)

(1022)

COMPLAINING AND COMPLAINING IN THREE FIVE EIGHT.

"Many of the supervisors were complaining about a number of propositions put through in which they felt that Ruef had received money and had not paid anything to the boys at all. Some few were suspicious about the Ocean Shore matter and expressed the view a few times that they not been treated fairly on that thing." (Testimony of Gallagher at Gladstone, 24-8.)

(1111)

COMPLAINING AND COMPLAINING IN THREE FIVE EIGHT.

"I remember that there was some grumbling about Ocean Shore and I may have told Ruef about it because I was seeing him right along." (Testimony of Gallagher, 1st Ruef trial, aft. sess. Mon. May 11, '08, 48-50.)

(1022)

THAT THE BOY IN THREE FIVE EIGHT IS THE SAME BOY.

"I am satisfied that as far as this Bay Cities Water proposition was concerned in the shape in which it was it could not go through because the members of the board were inquiring about it; it would not have been put through without some definite agreement because the board felt that the thing could not be handled by Ruef and he would not be advocating it unless it was of some benefit to himself and they did not want to be treated in that way any more-- many of them were com-

11-11-1964

1. The Commission has received information from the Government of the United Kingdom that the Government of the United Kingdom has decided to withdraw its troops from the Republic of Ireland.

1. The following is a list of the names of the persons who have been identified as having been in contact with the subject of this investigation, and who have been identified as having been in contact with the subject of this investigation, and who have been identified as having been in contact with the subject of this investigation.

"plainly about a number of propositions put through in which they felt that Ruef had received the money and had not paid anything to the boys at all. Some few were suspicious about the Ocean Shore matter and expressed the view a few times that they had not been treated fairly on that thing." (Testimony of Gallagher at Gladstone, 24-8.)

(mnmn)

BOARD DISCUSSING MATTER.

"I remember having numerous talks with Ruef about the petty grafting of the members and the danger therefrom and we both agreed to stop that petty graft." (Testimony of Gallagher, Ruef Prelim. Ex., ses. Tues. Jul. 21, '08, 10-12.)

(cccc)

BOARD DISCUSSING WHEN IT FIRST AROSE THE MATTER OF RUEF.

"I did not in May, June or July or up to the first payment in the trolley matter ask Gallagher when any money would be paid, and I never discussed money with Gallagher. Q. What was it-- give us some of the substance, or rumors, the substance of the general subject, I don't want you to give it to us in detail. Now, did not some of those supervisors say in substance, 'Oh, this is a pretty good proposition;' 'these people are making a good lot of money and they should not overlook us,' or words to that effect? A. I don't think they were just exactly that way. Q. I did not say they were exactly. I say in substance and effect? A. Well, the discussions I think pertained to the fact that there had been a fee paid. Q. To whom? A. To Mr. Ruef. Q. The discussions first occurred in the month of January or February? A. I did not say the matter came up at that time. Q. The matter came up in the month of February? A. Yes, sir, but I did not say we discussed anything. In fact, I stated positively that the matter of money was not spoken of at the beginning--not to my knowledge. Q. But afterwards? A. But afterwards. Q. And by reason of that fact, the members expected to get a slice of Mr. Ruef's fee? A. I think that is about the size of it, yes." (Foxton, at Prelim. Ex. in Ruef case, Aug. 5, 1908, p.27 and pp.28,4.)



[illegible]

and from that time until the present time, I have been a member of the same, and have been a member of the same for the last twenty years.

1. The first of these is the fact that the  
2. second is the fact that the  
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